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# THE INDIAN ARMS ACT MANUAL,

CONTAINING

THE INDIAN ARMS ACT, XI OF 1878,  
AS AMENDED BY ACTS XX OF 1919 AND XLIX OF 1920,  
AND THE INDIAN ARMS RULES, 1924,

*Corrected up to May 1931,*

WITH

NOTES AND RULINGS OF THE HIGH COURTS,

TOGETHER WITH

Rules and Orders of the Government of India, and of  
the Governments of Madras, Bombay, Bengal,  
United Provinces, Punjab, Bihar and Orissa, and  
North-West Frontier Province, etc.

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BY

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**THE INDIAN ARMS ACT MANUAL.**

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**DEDICATED,  
with kind permission,**

**TO**

The Hon'ble Sir HENRY WHEELER, K.C.S.I., K.C.I.E., I.C.S., (retd.)  
*Ex.-Governor of Bihar and Orissa.*

# THE INDIAN ARMS ACT MANUAL.

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## PREFACE

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The compiler tenders his grateful thanks to the provincial Governments and officials for their patronage and courtesy which have enabled him to present the **Eighth Edition** of the Indian Arms Act Manual within a comparatively short period of the publication of the last edition (1928). From the "Table of Contents" it will be seen that the book has been largely revised. The judicial decisions of the several High Courts have been added to those under the respective sections of the Arms Act. The amendments to the Indian Arms Rules, 1924, notified during the last three years have been incorporated and the Rules brought up to date—(May 1931), supplemented by the orders of the central and provincial Governments framed for the guidance of the officials concerned.

2. So far as the Rules and Orders of the local Governments are concerned those relating to **Madras** will be found on pages 188-202. The only addition is paragraph 39 (page 202) declaring the weapon known as "Zipo" or "Life Preserver" as subject to restrictions contained in the Act.

**Bombay** (pages 213-217.) The Local Government had expressed some doubt in regard to certain rules contained in the last edition, which were originally compiled from certain old records. With the exception, therefore, of paragraphs 36-38, (pages 216-217) they have been replaced by those contained in paragraphs 318-354, of the local Police Manual, Volume I, Sixth Edition, 1927.

**Bengal** (pages 217-253), and **United-Provinces\*** (pages 254-300) are reproduced almost *in extenso*, with corrections up to date, but with such alterations as appear suitable for the purpose, of the Manual.

**Punjab** (pages 301-317) have been revised with reference to notification no. 8508 dated the 8th March 1929,

**Bihar and Orissa** (pages 318-324) and **North-West Frontier Province** (pages 325-341). There have been no material alterations.

4. Among the omissions are the Baluchistan, Bangalore Baroda and Berar Arms Rules which were framed on the same lines as the main Rules of 1924 and their utility is confined only to the area of those provinces. The local rules of the Central Provinces and Assam have been left out as these Governments have published their own compilations on the subject for the use of officers in their respective provinces.

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\* With the exception of two recent notifications of the United Provinces Government withdrawing exemptions as regards swords, daggers, spears, etc., in the Cawnpore and Benares districts. These two notifications are included in the list of "Corrections", appended.

## PREFACE.

5. In short no effort has been spared to make the manual as complete as possible for the purposes of district and police officers on whom the main responsibility for the administration of the Act and the Rules rests and also for the members of the legal profession. The compiler will however be grateful if any errors or omissions which have escaped his notice, are pointed out to him for the purpose of rectifying them in the list of *Addenda* and *Corrigenda* which may be found necessary to publish in consequence of any changes in the rules. This list will be supplied at a nominal price to the subscribers of the book who will kindly send their names to the undersigned.

NAPIER TOWN,

TRIBHUPUR,

May, 1931.

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G. K. Roy.

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## CORRECTIONS.

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- (1) PAGE 38, NOTE (i). In the last line of clause (ii) *add* the word "note" after the word "are".
- (2) PAGE 39, note (10). In the last line for the words "28th February 1929" read "21st December 1928." Add as note—
- (11A)—"The contrivance known as "Stop" is an "arm" within the meaning of section 4, and add as footnote—  
"Vide paragraphs 67, 67A, 67B, 67C, 67D and 67E of Bengal Rules on page 229."
- (3) PAGE 42. Note above note (44) may be numbered as (43A) and for the word "Kipan" in this note read "Kirpan"
- (5) PAGE 60. Note (33) For the word "offene" read "offence"
- (4) PAGE 59. NOTE (32). For the figures "29" in the first line read "19"
- (6) PAGES 78-88., Head-lines. For the words "THE INDIAN ARMS ACT" read the "THE INDIAN ARMS RULES."
- (7) PAGE 109, FOOTNOTE. For the word "sechnd" read "second"
- (8) PAGE 114, NOTE. In the first line for the word "non-judicial" read "non-judicial"
- (9) PAGE 138. Add the following, as notes (13A) and (13B)—
- (13A) Under the provision in entry 1 of schedule II of the Indian Arms Rules, 1924, the exclusion from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878, is hereby cancelled in the Cawnpore municipality and cantonment in respect of swords, spears, "ballams" axes, "kantas," daggers and "karaulis" in the possession of all persons other than such persons as were exempted in respect of these weapons before the introduction of the Indian Arms Rules, 1920, or under schedule I of the Indian Arms Rules, 1924. (U. P. notification no. 309 dated the 16th January 1931).
- (13B) Under the provision in entry 1 of schedule II of the Indian Arms Rules, 1924, the exclusion from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878, is hereby cancelled in the Benares district in respect of bayonets, swords, daggers, spears, spear-heads and "gandasas" in the possession of all persons, other than such persons as were exempted in respect of these weapons before the introduction of the Indian Arms Rules, 1920, or under schedule I of the Indian Arms Rules, 1924 (U. P. notification no. 2015 dated the 14th April 1931.)
- (40) PAGE 138. NOTE (20). In the last line for the figures "1920" read "1930".
- (11) PAGE 160. Head-line. For the words "SCHEDULE IX," read "SCHEDULE VIII, FORM IX."
- (12) PAGE 188. FOOTNOTE. For the word "bassed" read "based"
- (13) PAGE 230, paragraph 73. For the word "stamped" read "stamped."
- (14) PAGE 255, UNITED PROVINCES. Add as para. 2A.—  
2 A. Withdrawal of exemptions in Cawnpore and Benares Districts in respect of **swords, bayonets, daggers.** Vide note (13A) and (13B) added to notes on page 138.

## THE INDIAN ARMS ACT MANUAL.

*Government of India, Home Department Resolution, No. 2125-C., dated the 21st March 1919.*—For many years past the administration of the Arms Act has been the subject of adverse criticism, mainly because European and East Indian subjects of His Majesty are exempted from the obligation to take out licences for the possession of firearms while Indians, outside certain privileged classes, have to apply for licences and even if successful in their applications, can, in most cases, obtain them only after enquiries as to their status and character. The Government of India have for some time past been anxious to remove this racial discrimination and to minimise the delays and inconvenience which necessarily attend the present system of administering the law, and they have had prolonged correspondence with local Governments on the details of this intricate and difficult subject.

2. Some critics of the existing system demand the repeal of the Act, or in the alternative its administration on a purely fiscal basis, whereby any one desiring a licence could secure it without question, on payment of the prescribed fee. The Government of India doubt whether the serious objections to so simple a solution of the problem have been fully realised by those who advocate it. In their responsibility for the maintenance of order and tranquillity the Government of India are bound to take into account the effect which an unrestricted dissemination of firearms throughout the country-side might have upon serious crime. They cannot overlook the likelihood of such weapons being freely used in the dacoities, faction fights, and agrarian and religious riots which figure so frequently in the records of our criminal courts. In more than one province firearms illicitly obtained have, during recent years, played an appreciable part in serious crime, and the Government of India cannot contemplate with equanimity the similar use of such weapons in other provinces. They apprehend that if there were no restrictions on the possession of firearms by lawless characters, such an increase in crimes of violence might ensue as would endanger the security of the country, and that it would be necessary largely to increase the number of armed police and to improve their equipment.

3. The Government of India have decided, therefore, that the question cannot be dealt with on these lines. They have considered the possibility of abolishing all exemptions and requiring every one from the highest authorities downwards to take out a licence for the possession of firearms. Enquiries showed the objections to this course. There is every reason to believe that a general cancellation of exemptions would be regarded as withdrawing a valued privilege if not as a mark of mistrust.

4. After repeated examination of the question the Government of India decided that the best chance of solving the problem lay first in rigidly restricting the number of exempted persons, and, secondly,

in arranging that persons of recognised status and character should, without distinction of race, ordinarily be entitled to obtain licences for the possession of firearms without enquiry or delay. While details were still under discussion the following resolution was moved in the Imperial Legislative Council and accepted by Government on the 19th September 1918 :—

This Council recommends to the Governor-General in Council that a Committee of official and non-official members of this Council be appointed to consider and report to the Governor-General in Council to what extent the Indian Arms Act and the rules thereunder can be amended.

The whole question was then laid before a Committee composed partly of official and partly of non-official members of the Council, and the Government of India are now in a position to formulate the conclusions reached after examination of the report of this Committee. These are as follows :—

(1) All arms other than firearms and also firearms of an obsolete character, possessing a purely antiquarian value will be exempted from all the prohibitions and directions contained in the Arms Act, except in Burma, the Punjab and the North-West Frontier Provinces, provided that any local Government may retain the existing restrictions for particular weapons or in particular areas where such a course is necessary in the interest of law and order.

(2) All distinctions of a racial character will be abolished, but a restricted schedule of exempted persons will still be retained, the privilege being subject to the same restrictions in respect of the number and description of weapons as at present.

(3) Exempted persons will not be required to register their weapons but power will be reserved to the Government of India and the local Governments and Administrations to require the registration of rifles, revolvers and pistols in the possession of such persons where necessary.

(4) The great land-holders included in entry (6) of the schedule who at present enjoy exemption in respect of weapons in the possession of their retainers, will in future be allowed exemption in respect of a fixed number of retainers whose weapons will be registered annually as retainers' weapons, their number and description only being specified.

(5) To persons of approved character and status licences for the possession of rifles (other than those of prohibited bores) and smooth bores will ordinarily be issued on application and without previous enquiry. It will be for local Governments to prescribe for each province the qualifications entitling any person to this privilege, but subject to any such orders the Government of India consider that the following qualifications should be sufficient :—

(i) Membership of any order established by the Crown, or the possession of a title conferred or recognised by the Government of India or of the Kaiser-i-Hind Medal or a certificate of honour. (ii) Membership, past or present, of the Indian or a Provincial Legislative Council or inclusion in the list of Provincial Darbaris. (iii) Payment of not less than Rs. 1000 per annum land revenue or Rs. 250 in road and public works cesses. (iv) Payment of income-tax on an income of not less than Rs. 3,000 for a period of three years. (v) Being a Government officer in receipt of not less than Rs. 250 per month. (vi) Being a commissioned or gazetted officer of His Majesty's Military or Naval Forces or His Majesty's Indian Marine Service or a commissioned Indian officer of the Imperial Service Troops in active service. (vii) Being a pensioned officer who before retirement was, by virtue of his official position, included in any of the classes described in (v) or (vi) above.

(6) Persons who have hitherto enjoyed exemption but are not included in the new schedule of persons exempted will be required to take out licences, but it will be open to the local Government to treat them as entitled to the privilege described in clause (5) above, provided that there is no race discrimination.

(7) The following changes will be made in the rules regulating the issue of licences :—

(i) Licences for revolvers and pistols will be issued only in cases of real necessity and to persons of approved character, the fee being fixed at an enhanced rate of Rs. 10, except in the North-West Frontier Province where no charge will be made. (ii) For a licence in Form XVI the fee will be raised to Rs. 5 for each breech-loading weapon but will remain unchanged for muzzle-loaders. (iii) Licences will be granted, if so desired, for an extended period of three years on a compounded fee subject to the existing conditions regarding the report of loss and transfer of the weapon, and subject further to the proviso that the local authorities shall have the right to enquire whether the weapon for which a licence has been granted is still in the possession of the licence holder. (iv) Special instructions will be issued to afford facilities to agriculturists to obtain licences for the protection of crops or cattle and to secure that they are not withheld without good cause. (v) Licences, other than those for the protection of crops or cattle when issued at the licence-holder's place of permanent residence will be valid throughout British India, except Burma, Assam and the North-West Frontier Province, subject to any restrictions that may be necessary in regard to any particular province. (vi) Licences will not only be issued by District Magistrates, but also by such Sub-Divisional Officers as the local Government may specially empower in this behalf. For the purposes of enquiry preliminary to the issue of a licence, other agencies will, where possible, be employed in addition to or in substitution for the police.

The necessary modification of the rules and schedules in order to give effect to these decisions is now being undertaken, but in order to give persons, who are exempted at present but will not be exempted in future, time to adjust themselves to the new conditions, the changes in the list of exempted persons and the enhancement of fees will not take effect until 1st January 1920.

*The Report of the Indian Arms Rules Committee, dated the 20th Sept. 1922.*—A resolution was moved in the Assembly on the 8th of February 1922 by Baba Ujagar Singh Bedi, to the effect

Introductory. that a Committee with a non-official majority should be appointed by the Governor General in Council to examine the new Arms Rules, 1920, and to submit a report before the session making specific recommendations with a view further to amend them. The resolution was carried and was accepted by the Governor General in Council subject to adherence to the principles—

(1), that there should be no racial discriminations in the rules, and

(2), that the Government must retain the power to impose restrictions to prevent arms and particularly firearms from falling into the possession of lawless or dangerous persons.

In accordance with the instructions contained in Resolution No. F-57-1 dated the 1st June 1922, we have examined the Arms Rules, 1920, and submit our recommendations to the Government of India for such action as they think desirable.

2. Our conclusions have been reached after an exhaustive examination of the views of local Governments, the recommendations of the Committee appointed in 1919 to advise as to the principles on which the rules should be framed, and a large number of memoranda submitted to us by various members of the public many of which were sent in response to a general invitation issued by the Government of India to those interested in the subject under discussion to communicate their views to Government for the information of the Committee. We have examined orally 13



official and 16 non-official witnesses including representatives of the army and the trade, whose evidence was taken in public of which much has already appeared in the columns of the press. We commenced our sessions in the month of July and spent ten days in recording evidence. We were unable to conclude our work then and for unavoidable reasons were compelled to postpone our deliberations until the September session of the Legislature. For this reason there has been some delay in the submission of our report.

3. We propose to deal first with the question of the retention, extension, or contraction of the list of exemptions. Their total abolition has been advocated generally as a counsel of perfection, and the majority of the Committee would prefer this course if it were practicable. Local Governments, however, are of opinion that at this stage the entire abolition of exemptions would create grave dissatisfaction amongst the classes hitherto exempted and would be unwise and inexpedient. With this conclusion the majority of the Committee are in agreement. A large number of non-official Indians both in their oral evidence and in their written memoranda maintain that the schedule of exemptions should be enlarged. After careful consideration of the views put before us and after examining in detail the entries in Schedule I, we are of opinion that the existing list of exemptions contained in that schedule is imperfect in some respects and we make the following recommendations regarding it:—

Under entry (a) we would include ministers and members of the Imperial Legislature during their terms of office and Privy Councillors. The Committee by a majority, do not recommend a similar concession to members of the Provincial Legislatures.

In regard to entry 6 (d), 6 (f), (i) and 6 (g) we doubt whether the terms Great Sardars or Zamindars are sufficiently precise and we do not know what interpretation is placed upon them by the local Governments concerned, namely, the Punjab, the United Provinces and the Central Provinces. We therefore recommend that enquiries should be made from these local Governments whether they maintain lists of these categories, whom they include, and whether they are sufficiently elastic. It has been represented to us that in some cases gentlemen who are in fact big Zamindars are excluded because they are not on the provincial Darbar List. If this is so, we think that it is an undesirable restriction. We are further of opinion that due regard should also be paid to lineage and family position and the lists revised accordingly. If such lists of exemptions under this entry are not maintained we recommend that they should be prepared after the terms in question have been more precisely defined. \* \* \*

Entry No. 7.—We are impressed with the evidence of Khan Bahadur Muhammad Saifullah Khan, Khan of Isa Khel, who explained that the proviso in column 3 rendered this privilege to a large extent ineffective and we accordingly recommend the removal of the proviso. We are also of opinion that the same privilege

should be extended to the districts of Campbellpur, Rawalpindi and any other district adjoining the North-West Frontier Province which are exposed to raids and dacoities unless the local Government take exception to this course.

Entries 11, 11-A and 11-B.—We consider that it is unnecessary to retain these exemptions in the actual Schedule of exemptions. These items were included with a view to protecting, what may be termed the vested rights of the classes named, on the 1st of January 1920, and we are of opinion that these rights should continue to be protected. We therefore recommend that all the present exemptees in the entries 11, 11-A and 11-B should be granted a life licence conferring on them the same privileges in respect of arms exempted from licence and fee which they now possess. The majority of the Committee do not recommend that this privilege should be extended to title holders, who received titles after the 1st of January 1920.

Entry 13.—We recommend that an addition should be made to provide for the gift of swords or other arms by the Commander-in-Chief or on his behalf. A similar addition should also be made in Schedule II, entry 3 (*vis*). Our colleague, Baba Ujagar Singh Bedi, has pointed out that some confusion exists in regard to entry 11 (*d*) and entry 13. He considers that it should be made clear that entry 13 relates only to those who were presented with swords and arms after 1920. This follows as a matter of course if our recommendations are accepted as entries 11, 11-A and 11-B will be omitted, and entry 13 will be renumbered. We are content to leave this point of drafting to the special officer who, we propose, should be appointed for the purpose of redrafting the rules.

4. We considered the proposal that all stipendiary and honorary magistrates should be included in the list of exemptions; but we are of opinion that a firearm cannot be regarded as a necessary part of the equipment of a magistrate as such and are unable to recommend this. The case of the police is sufficiently met by the fact that a revolver is already a part of the equipment of police officers above the rank of head constable. While in our view it is reasonable that all Government servants who, in the opinion of the local Government, require arms for the adequate discharge for their duty should be exempt from the payment of fees we cannot recommend that all Government servants should be included in Schedule I among the exempted classes.

5. In the case of all exemptees we consider it of the highest importance that they should register all the arms they have in their possession; and we recommend that registration should be compulsory. In regard to the limit imposed by certain local Governments on the number of arms which may be possessed we have no evidence that such restrictions are irksome and indeed from the rules we have seen we are convinced that the scale allowed is generous. We therefore recommend no interference with the restrictions at present imposed by local Governments on the number and kind of arms which can be possessed by exempted persons. It follows that we do not recommend a fixed scale which shall be uniform

throughout India. Conditions vary in different provinces and under the rules framed by the various local Governments exemptions can carry as many weapons as they reasonably require for purpose of protection or other legitimate purposes.

6. A proposal has been put before us that the power of cancelling individual exemptions should be given to local Governments. We consider that the existing rules by which this power is vested in the Governor-General in Council should remain.

7. Our colleagues Mr. Bajpai, Mr. Reddi and Mr. Faiyaz Khan favour the adoption of a system by which licences should be issued without restriction to all applicants on payment of the prescribed fee save in the case of undesirable persons specified in a list kept for the purpose. This proposal, however, does not commend itself to the majority of the Committee, who regard it as entirely outside the scope of practical politics. It is only exposed to the objections we have urged to the total abolition of exemptions, but is open to the serious criticism that a suitable or proper classification of undesirable persons would be impossible.

8. We next come to the entitled class. The evidence on the question whether licences are often withheld from those who belong to this class is divided, but we would recommend removal of restrictions in two directions. In our view eligibility to be included in the entitled class should be considerably extended, and the existing procedure in the matter of enquiry is susceptible of material relaxation. As to the eligibility we recommend that the payment of Rs. 500 land-revenue, Rs. 100 in roads and public work cesses, any payment of income-tax and, in the case of a Government servant, receipt of a pay of Rs. 100 a month and over should be sufficient qualification. In the case of the Punjab, Madras and the Central Provinces we suggest that enquiry should be made whether the limit of land-revenue should not be Rs. 250 instead of Rs. 500. Further the heads of Joint Hindu families should be included in this class, and the adult brothers and sons of entitled persons living jointly with them should be similarly regarded as belonging to it. As to the relaxation of the procedure of enquiry we think that lists of entitled persons should be maintained and that any member of the entitled class applying for a licence should be granted one immediately without enquiry unless the District Magistrate has some definite reason to think that the applicant is an unfit person, in which case he may for reasons to be recorded in writing, refuse the grant of a licence or cause enquiry to be made: in cases of refusal we would recognize a right of revision by the Commissioner or some officer of equal status nominated in this behalf by the local Government. In the existing rules no mention is made of the entitled class, the principles regarding it being contained in a Resolution of the Government of India, No. 2135-C. Police, dated the 21st March 1919, (page 1, *ante*). We are of opinion that it would be more satisfactory to the general public if the provisions regarding the entitled class with the modifications we suggest were embodied in the rules as we strongly recommend that this should be done.

9. We have given careful consideration to the various questions

**Licences.** which arise in connection with the grant of licences, especially licences for the possession

of arms. Complaints have been made to us regarding the administration, in practice, of the Rules, especially as regards the delays in dealing with applications, the irksome nature of the enquiries sometimes instituted, the difficulty of securing renewal of licences already granted, and the difference in the restrictions imposed by the various local Governments. Indeed we are constrained to place it on record that in our opinion the various criticism which has been directed against the Arms Rules in some quarters is due not so much to inherent defects in the rules themselves as to the method in which they have been put into practice. We have therefore given our particular attention to methods of improving the executive machinery.

10. We have referred above to the unnecessary inconvenience

**Enquiry.** caused in some respects to would-be-licence-holders by reason of the delay in issuing

licences. We recognise that this delay is frequently caused by the necessity for making enquiries about the fitness of a person to possess a weapon, and while we do not recommend that enquiry can be dispensed with in every case, we believe that the present practice by which enquiries are almost entirely carried out by the police is open to objection by the public and should as far as possible be abandoned. We suggest that in any case in which a previous enquiry is necessary, particularly in case of entitled persons, the District Magistrate should make it, if possible, by any agency, official or non-official, he may choose other than the police, and whenever possible through a Magistrate. In any case in which it is found necessary to have an enquiry made through the agency of a police officer we are strongly of opinion that a licence should not be refused merely on the strength of the report of such an officer alone but that the District Magistrate should order a magisterial enquiry also before coming to a final decision.

11. In some provinces we have found that the custom obtains

**Limitation of number of licences.** of limiting the number of licences issued. We have even found that the practice of individual

District Magistrates in the same province varies. Any arbitrary limitation of the number of licences issued in a district or province may clearly lead to the refusal of a licence to a fit and proper person and we can see no justification for the adoption, save in exceptional circumstances, of his practice. In our view the normal practice should be that no limit should be placed on the number of licences which may be issued in any district or province. We recognise, however, that circumstances may arise in which a rapid increase in the number of arms in a particular area may be fraught with danger and we think it advisable that local Governments should have discretionary power, without being compelled to resort to the extreme measure of disarming, to limit the number of arms in any area or district if there is reason to apprehend serious danger from the free grant of licences and if

such restriction is necessary for the maintenance of the public tranquillity.

12. We should recognise a right of revision in the case of refusal to grant a licence, but we would not disturb the existing rule which requires the sanction of the District Magistrate to a prosecution.

**Revision and prosecution.**

13. The period covered by the licence varies in different provinces, but we recommend that it should now be the calendar year. The scale of fees is discussed in paragraph 21 below. Persons should be allowed as at present to take licences for three years on payment of a composition fee. We gather this rule is not widely known at present, and we think it would be desirable that the necessary steps should be taken to ensure its publicity.

**Duration of Licences.**

14. In some quarters the criticism has been made that persons desirous of purchasing a weapon are put to inconvenience because they cannot produce the weapon when applying for the licence necessary for its possession, and it was therefore recommended that a temporary licence should be given to cover such purchase pending the grant of a licence for possession. We do not agree with this, and in our view a permanent licence should be issued at the time the applicant applies for a licence and the number and description of the weapons purchased should be filled in by the firms from whom the purchase is made and communicated by them to the District Magistrate concerned. In this matter a uniform practice should be adopted throughout India.

**Temporary licences.**

15. Another instance in which the present system has been shown to operate to the inconvenience of the licence-holders or would-be licence-holders is that of person arriving at Bombay, Madras or Calcutta, etc., by sea, who are not in possession of licences and are therefore compelled to deposit their weapons with their agents or in the Customs House until a regular licence can be obtained. We therefore recommend that customs and police officers should be permitted to issue a temporary licence for fourteen days on payment of the full fee, a receipt being given to the licensee. On receipt of the proper licence from the authority empowered to issue the same no further fee should be payable.

**Licences for persons arriving by sea.**

16. We attach some importance to the stricter enforcement of condition 7 of the conditions under which a licence for the possession of arms and ammunition is granted. It has been suggested to us that the procedure in the case of failure to report the loss of firearms should be tightened up. But we are of opinion that the contingency is provided for by the conditions of the licence, and all that is required is its more rigid enforcement. We recommend however that the licence should also specify the penalty laid down in the Act for breaches of this or any of the conditions under which the licence is granted.

**Loss of Weapons.**

17. The question of a free issue of crop protection licences was raised by a number of witnesses. The evidence given by official witnesses goes to prove that crop protection licences are issued freely but in some cases conditions are imposed, such as annual production of evidence of the purpose for which the licence is required, before renewal is granted. We recommend the freer issue of such licences and particularly on applications by or recommendations of landlords who are well acquainted with the local conditions and the extent to which damage is done to crops by wild animals.

18. We have been impressed with the fact that licences are frequently granted on flimsy paper which quickly perishes, and we recommend the universal adoption of the Calcutta form. There the licence is printed on stout paper, and is enclosed in covers such as is used in the case of passports. To the licence, a leaflet of instructions, in the vernacular of the province or in English, at the option of the licensee, should be annexed. These instructions should indicate the procedure laid down for the renewal of the licence and the restrictions to which the licensee is subject. In this matter we plead for uniformity throughout India. It has been suggested that the all-India, the provincial, and the district licence form should bear distinctive marks, and a different colour for each has been proposed. We do not regard this suggestion as of vital importance, but pass it on to the Government of India for consideration.

19. A single licence form should be used for all the weapons licensed and not a separate licence for each arm. We have found diversity of practice in the different provinces in this respect and we recommend that there should be uniformity.

20. As regards the renewal of licences we are of opinion that the existing procedure is susceptible of improvement. We see no reason why, when a licence has once been issued, it should be necessary for a District Magistrate to sanction renewal. The licensee may have changed his district or he may live in an inaccessible locality. The inconvenience then caused is considerable and easily avoidable. We therefore recommend that licences should be renewed by any Magistrate or any Sub-Divisional Magistrate in the district in which the licensee is residing or in any other district in which he is known. In the case of a renewal of a licence in a district other than that in which the licence was originally issued we recommend that the original licence should be renewed and the authority which issued the original licence supplied with information of renewal. The production of firearms should not in our opinion be a precedent condition to the renewal of a licence.

21. In regard to the scale of fees we find that there are indications that the present fees are regarded as too high (except for a provincial licence in the North-West Frontier Province) especially in the case of breech-loading guns. We recommend the following scale in all provinces

except for provincial or district licences in the North-West Frontier Province and possibly frontier districts of the Punjab :—

**Initial Fee**—Revolver Rs. 10 ; Rifle Rs. 5 ; Breech-Loading Gun and '22 bore Rifle Rs. 3 ; Muzzle-loading Gun or Air-Gun requiring a licence, annas 12 ; the enhancement of the fee from annas 8 to annas 12 being intended to meet the cost of the improved and more expensive form of licence. *The fees on renewal* should be reduced and we recommend that they should be respectively Rs. 5, 2-8-0, 1-8-0 and annas 8 ; but if renewal applications are not made within a month after the expiry of the period covered by the licence we recommend that it should be open to the District Magistrate in lieu of prosecution to levy the initial fee in full. No reduction of fee on account of composition is required.

Payment of fees should be by non-judicial stamp and applicants should be allowed to send their applications for licences or renewal of licences by post.

As stated earlier in our report all Government servants who are, in the opinion of their local Government, required to possess arms for the adequate discharge of their duty, and all members of the Auxiliary and Territorial Forces, should be permitted to possess two arms without payment of fees. Exemptees should, as at present, pay no fees and those who will, if our recommendations are accepted, receive a life licence should similarly pay no fees for the arms which they are entitled to possess. We consider that the question of the extended issue of firearms free of fee in the North-West Frontier Province and Frontier districts should be carefully examined by the local authorities and we strongly recommend that, subject to such enquiries, action on these lines should be taken. We sympathise with the view of the arms-dealers that the existence of a separate fee for a licence for import into India and transport to destination is a distinct hardship, and in our opinion there should be a single fee only.

22. Under the rules no limits are placed on the amount of ammunition which may be possessed ; but local Governments, have themselves imposed limitations. From the evidence before us we consider that these restrictions are in some cases unnecessary and calculated to inconvenience the *bona-fide* sportsman. A uniform procedure in this respect is desirable throughout India and we accordingly recommend that no limit of ammunition should be fixed in the case of shot-guns or '22 bore or target rifles. In the case of revolvers we recommend a limit of 100 rounds and in the case of rifles a limit of 200 rounds *per* rifle. Any person who can prove that he needs more than 100 rounds for a revolver or 200 rounds for a rifle should be given a licence for a larger number. At the time of the purchase of revolver and rifle ammunition the licence should, in our judgment, be produced. We are also of opinion that measures should be taken to facilitate the export of arms and ammunition to persons residing in feudatory states.

23. We have discussed in some detail questions affecting the issue of licences because we feel that the public have legitimate grievances, and we believe that improvements can be effected for their benefit without in any way impairing the efficiency of the Arms Act administration. We desire now to make two proposals which we think may have material effect in allaying whatever dissatisfaction may remain. In the first place, we recommend that the issue of all-India licences should be as unrestricted as possible and should be generally encouraged, and that certainly every member of the entitled class to whom a licence is not refused should get an all-India licence if he desires it. Further, we see no sufficient reason why Assam and Burma should be excluded from the all-India licence and would recommend their inclusion. In this connection we also recommend, with reference to entry no. (1) in Schedule II, that enquiry should be made from the Punjab, Burma, North-West Frontier Province and Delhi whether the retention of these provinces in column 1 is really required, and whether the power given in column 3 is not sufficient to meet all reasonable requirements. Secondly, we strongly advocate greater expedition in dealing with applications for licences and renewals. We have dwelt already on the possible inconvenience caused to the public. With the object of remedying the existing state of affairs it has been proposed that in each district a special department or a local advisory board should be established to deal exclusively with matters connected with the administration of the Arms Act. We are not in favour of the establishment of such a department or board, as the result would probably be even greater delay than at present, but we recommend that local Governments should be asked to issue instructions to district officers that they should appoint additional staff when necessary to deal expeditiously with applications for licences and renewals when applications are received in such numbers that the District Magistrate is not able to deal with them promptly with his ordinary staff.

24. We now come to a number of miscellaneous points of detail and we propose merely to give a brief record of our conclusions.

25. It has been suggested by the military authorities that the restrictions on the possession of revolvers should be tightened up. We recognise that the unrestricted possession of revolvers might be a menace to the public tranquillity; nevertheless, we do not recommend any tightening up of the existing restrictions which seem to be adequate. At any rate they have not been shown to have failed. The existing restrictions should, however, remain.

26. Enquiry has been made whether the import into India of '303 bore revolvers should be prohibited. The military authorities see no necessity for the prohibition and we do not recommend it. There are, however, good reasons why the import of '450 bore revolvers which take service ammunition should be prohibited,



and we recommend that such prohibition should be included in the rules.

**Rifles of prohibited bore.** 27. In regard to rifles of prohibited bore, we recommend that no prohibition is necessary in the case of those rifles for which service ammunition cannot be used and the ammunition of which cannot be used for service rifles, but we make this recommendation subject to any objections which the military authorities may wish to place before the Government of India

**Import of arms through post.** 28. It has been suggested that the import of arms should be permitted through the post office, but we think any general rule such as this would be dangerous, and accordingly we are opposed to the adoption of this practice.

**Retainers.** 29. The rules regarding retainers have been represented as inadequate, but no specific instances of hardship have been brought to our notice, and we are of opinion that no change is required.

**Carrying of arms on journeys by female members of licensee's family.** 30. A proposal was made to us that licences granted to the head of a family should be held to cover the carrying of arms by dependent members of the family, particularly in the case of adult female members travelling alone. We are of opinion that the acceptance of this principle in such general terms might be dangerous. We think, however, that there is much to be said for the wife of a licensee being permitted to carry a weapon for purposes of protection on a railway journey, and we recommend that to this extent the proposal should be accepted.

**Sale by agents.** 31. We agree that the practice hitherto followed by licensed dealers of employing assistants to conduct their business in their temporary absence should continue, and that it is unnecessary to take further steps to legalise it.

**Reciprocity with Indian States.** 32. As regards reciprocity with Indian States, it has been proposed that reciprocal arrangements should be made in all matters connected with arms administration. We recognise that unrestricted reciprocity is clearly impossible. Some States have no Arms Act or Rules, and in others the administration of their rules proceeds on different lines from those which obtain in British India. We could not with equanimity contemplate a large number of persons from Indian States coming into British India in possession of arms on the ground that they are exempted in their State. On the other hand our exemptions provide for the exemption in British India of a number of high officials belonging to Indian States, and we therefore recommend that the Government of India should endeavour to secure reciprocal arrangements with any State which can satisfy the Government of India that they have properly administered Arms Rules.

33. We recommended that the same power be given to the Commissioner in Sind and the District Magistrate, Karachi, in respect of the grant of licences for the export of arms and ammunition to Indian States by dealers in Karachi as are at present possessed by particular officers named in Schedule VI in respect of arms exported from elsewhere in India.

34. We have not considered a number of technical points and minor errors and omissions in the existing Rules to which reference has been made in the correspondence or the evidence we have examined. Our object has not been so much to revise the Arms Rules from the point of view of draftsmanship as to suggest improvements which will benefit the public. As regards the technical defects of draftsmanship we are not qualified to express an opinion, nor is it our duty to do so. We recommend, however, that an officer might profitably be placed on special duty to redraft the Rules, in the light of the recommendations made in this report and that an expert from the trade should be invited to assist him. In our opinion it would enable the ordinary licence-holder to get a grasp of the Rules which are of importance to him, namely, those relating to the issue and renewal of licences, the fees payable, and the restrictions imposed, if these Rules were issued in a self-contained section. The Rules as they stand are very confusing and are so comprehensive that the average licensee finds it difficult to disentangle those which concern him from those which are in the nature of technical instructions.

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*Minute of dissent by Rai Bahadur S. P. Bajpai, M. L. A., Member, Arms Rules Committee, dated the 27th September 1922.*

Paragraph 7.—I do not agree with the majority of the Committee that my proposal to issue licences to all applicants on the payment of the prescribed fee, save in the case of undesirable persons, specified in a list to be kept for the purpose is outside the range of practical politics. The policy of the Government of India in regard to the administration of Arms Rules has all along been a subject of hostile criticism in the country. It is urged that innumerable restrictions and limitations imposed on the possession of firearms have led to the emasculation of the Indian manhood. Those of us who were connected with the recruiting work during the great war know with what difficulty recruits could be procured for combatant strength in the Army. The reason is obvious. People in the interior who have seldom seen a breech-loading gun would hardly agree to become soldiers and fight in the trenches. I think it is not impossible to prepare a schedule of exclusions. The Police maintain a register of bad characters, and a list of persons convicted of heinous offences can be obtained from the office of the District Magistrate. Bad characters, persons convicted of heinous offences and members of

criminal tribes may be excluded. I think the time has now come for the Government of India to take courage in both their hands and adopt my suggestion, which I believe, will not only disarm criticisms levelled in season and out of season against the Government but also prove a source of considerable strength to the British Empire in the hour of need.

Paragraph 3 entry 1—(a).

I think it is only fair that the members of the Provincial Legislatures should also be exempted. To me it appears an invidious distinction to exempt members of the Central Legislature and to deny the same privilege to Provincial Legislators. After all a considerable body of both the Legislators is drawn from the same class of citizens. This distinction, I am sure, will lead to considerable bitterness and heartburning. I shall, therefore, recommend to the Government of India to exempt the members of Provincial Legislatures as well.

Entry 6 (g).

(a) In Oudh all Taluqdars as such are exempt. Some of them pay nominal land revenue, while non-Taluqdar Zamindars to enjoy the privilege of exemption are required to pay twenty-thousand rupees land revenue. I think, with a view to assuage feelings which are running very high with regard to the exemption of Zamindars in the provinces of Agra and Oudh, I shall suggest that all Zamindars who pay Rs. 3,000 or over as land revenue should be exempted. My recommendation coincides with the recommendation made by the United Provinces Landholders' Conference which met at Lucknow in July last.

(b) Heads of Joint Hindu families who pay Rs. 3,000 or upwards as land revenue should also be exempted and the adult male members on the analogy of the entitled class be considered as belonging to it.

Entry 11, 11 (A) and 11 (B).

I do not agree with the majority of the Committee in their recommendations to grant a life licence to exemptees falling under these categories. I am not convinced that the removal of these entries from Schedule I will satisfy title holders who received these distinctions after the year 1920. They will continue to feel that, while their more fortunate brethren are exempt to all intents and purposes, they are called upon to apply for licences. Most of the title-holders who received these decorations after 1920 feel that a rare privilege is denied to them.

Big landholders and a large number of title-holders have got large stakes in the country. I, therefore, see no reason why they should not be exempted. Consequently I recommend that entries 11, 11 (A) and 11 (B) should not only be retained but that all future title-holders, etc., should also be exempted.

Paragraph 4.

I do not agree with the majority of the Committee when they recommend that Magistrates, etc., should not be exempted.

I think all Magistrates, Stipendiary or Honorary, Honorary Munsifs and Honorary Assistant Collectors should be exempted. Magistrates do need firearms to protect themselves when they are put in charge of processions, etc.

Paragraph 5.

I think it unnecessary to place restrictions on the number of firearms to be possessed by an exemptee. I shall, therefore, recommend that no restrictions be placed on the possession of firearms by exemptees who are almost always loyal and law-abiding citizens.

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*Minute of dissent by Mr. Muhammad Faiyaz Khan, M. L. A., Member of the Arms Rules Committee, dated the 18th October 1922.*

I am sorry that I have disagreed on some points in the Arms Rules Revising Committee, which run as follows :—

(1) I do not agree on the ground of principle that the members of the Imperial Legislature should be exempted from the operation of the Arms Act only so long as they continue to be members. A person may not enjoy any concession, but if he does, he should not be deprived of it during his life-time, unless there is something to prove that he has become less trustworthy. A member of the Imperial Legislature does not lose any part of his worth or his sense of responsibility by ceasing to be a member. Membership is only an apparent proof of a man's qualities, and his retirement does not involve any kind of turpitude at all. I therefore strongly hold that the members of the Imperial Legislature should enjoy this privilege during their life-time.

(2) I fail to understand why the entitled class should only be based on money consideration. A person may not be a Government servant or may not be paying the prescribed sum to the Government as revenue or taxes, but still he may be as good or even a better citizen than many of the Government servants and those paying the prescribed sum to the Government as revenue or taxes. The professor of a Communal College is an instance in point, who is neither a Government servant nor paying anything as tax. Again, the son or sons of a Zamindar may be thoroughly satisfactory men for keeping a weapon and still may not be paying any revenue or income tax in their name.

I really do not see why education be not also regarded as a sufficient qualification for coming under this class. Wealth may lead a man astray and may even bring him down to the position of a beast, but education alone is a sure agent for ennobling character. I would therefore suggest the inclusion of the following to the entitled class.—

- (a) Barristers, Pleaders, Vakils of High Courts of 5 years' standing ;
- (b) Professors, Readers and Lecturers at Colleges affiliated to an Indian University ;
- (c) M. As. ;

(d) B As. of seven years' standing ;

(e) Government Pensioners drawing Rs. 100 and over per month.

(3) It should be expressly provided in the Arms Act that the licences will not be held back on the basis of the individual political views, and those who come under entitled class will get their licences as a right and not as a favour. What justification was there for the forfeiture of licences and arms of such revered, noble and peace-loving citizens as Pandit Motilal Nehru, Lala Bhagwan Das, Khwaja Abdul Majid and S. Asif Ali, etc.. The refusal to issue or renew a licence to Indians of this position, though a proof of the "frame" being made of "steel" has the inevitable effect of lowering the prestige of the Government in the country. Big Zamindars and money-lenders paying a large revenue to the Government have been refused licences on the ground of their wearing "Khaddar."

On the refusal or the forfeiture of licences, I have received a good many letters from respectable people ; and the following are the copies of a few interesting letters (not printed) in my possession which will reveal the methods some time adopted by some of the District Magistrates.

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It is unfortunate indeed that some time the zamindars and other respectable people are deprived of the right of possessing fire-arms by licence, while Anglo-Indians of the position of a railway-guard are being granted licences, even for revolvers. The Government of India, whose vision is certainly broader than most of the District Magistrates may not, perhaps like them, be so narrow-minded, but their impetuosity has no limit. Let us, therefore, put a brake upon their rashness and local prejudices by an express provision of the Act.

(4) The present Arms Act requires or it is at least a practice in some of the districts, to bring or send the arms, after having bought it, to the collectorate to have the number of the arms endorsed on the licence, and I know a good many instances of a few Englishmen of higher service—District Judge and Joint Magistrate—who instead of sending or bringing their arms to the collectorate, they just send a letter or a chit to the collectorate and give the number of arms in it for endorsement. I am of opinion that nobody should be required to bring or send his arms for endorsement to the collectorate, he should just mention the number of the arms in a letter addressed to the authority concerned, or if it is necessary at all that the arms should be presented before the endorsement authority, then each and every one, whatever position he may hold, should be required to present his arms before the endorsement authority and no letter or chit should be permitted to anyone.

(5) The limit of 200 cartridges per rifle is one of the most important questions from the sportsman's point of view ; if this limit means 200 cartridges per rifle per year then certainly it will be most objectionable ; 200 cartridges will never be sufficient even for a month in a sporting district, but if it means that not more than 200

cartridges can be bought or kept at one time then there is not much objection. But why limit the number of ammunition at all? When the Government relies on a person for an arm with a certain limited number of ammunition, then I fail to understand why the same person should not be relied upon for an unlimited number of ammunition. Why should the Government of India be responsible for this sort of act and restriction, which is bound to create discontent in the country, or at least among the sportsmen, and make the Government unpopular. I know of no country in the world putting such sort of restriction on the amount of ammunition to be possessed by a licensee.

(6) There is one more important point to which I would like to draw the attention of the Government, which is about the punishment meted out to the holders of unlicensed arms and ammunition. Cases have been known where an Anglo-Indian has been fined a few rupees, and his arm confiscated, for unlawfully possessing an arm, while an Indian had to undergo a few months' simple or rigorous imprisonment for even unlawfully possessing a sword. In the eye of law there is no such distinction between an Englishman, Anglo-Indian, or an Indian, then why the distinction in the punishment. There is no reason why should an Englishman or an Anglo-Indian escape by merely paying a few rupees as fine and a poor Indian has to undergo simple or rigorous imprisonment for the same offence. If I am right there is a provision in the Government Order No. 454-VI-989, dated 14th March 1887, which clearly says that the offences against the Arms Act "would as a rule be sufficiently punished by fine." I am afraid this order of the Government is never acted upon. There must be a uniformity in the punishment of an Englishman, Anglo-Indian or an Indian under this Act, and this will undoubtedly allay the bitter feeling of the racial distinction.

There is every probability that under the new rules, more applications for licences will be coming in. If, then, the reforms are in reality the first step on the road to Self-Government, then these applications should be dealt with in the spirit of real justice and right and not as a favour. There are no doubt several District Magistrates whose attitude towards such applicants has been reasonable, but unfortunately the majority of them are still too proud and not yet prepared to consider themselves as servants but always pose themselves as masters, and do not feel that a new era has set in. They ought to be told in plain words that the grant of a licence to an entitled person is never a special favour or a privilege but they deserve it as a matter of right. Let me quote here a sentence from the speech of Mr. Iswar Saran, M. L. A., delivered in the Legislative Assembly on the 8th September 1922 at Simla, who in other words truly represents the public opinion and this applies in each and every case. He says :—

"We do not want the white man to be our perpetual ruler, our perpetual trustee, our perpetual guardian. We have had enough of this everlasting trust. We extend to the white man, and I speak with absolute truth and sincerity, the hands of

fellowship and good comradeship, but I do resent and as long as there is the last breath of life in me, I shall continue to resent the perpetual domination of the Civil Service or any other service....."

Unless the principle is accepted by the Government and faithfully acted upon by the District Magistrates any improvement upon the present Arms Rules will be a farce. I cannot emphasise upon this point too much. The entitled class should never be debarred from holding the licence except on the only ground of moral turpitude. I must, however, make it clear that I do not regard any attempt on the part of an Indian to criticise the policy or the official of the Government or any desire on his part expressed in words or act to bring about a fundamental change in the policy of the Government, as amounting to moral turpitude. The District Magistrates must not allow themselves to be carried away by what they hear from the police or those unfortunate class of non-official people who are called the flatterers, official favour-seekers, title and job-hunters and sycophants, who as a matter of fact have taken on themselves the duty to always misrepresent the true spirit and condition of the country and the individuals, simply to satisfy their personal aggrandizements, and those unfortunate officials who are misled by this class of people, not only ruin their own reputation and position but that of the Government, too, along with them. They should always coolly form their own opinion, and without the least fear of contradiction I can say, that this class of people,—who are never considered anybody in public eye, who always mislead the officials and hence the Government—are unfortunately the chief and the only root cause of all the present discontent and situation in the country. The personal considerations would defeat the ends of justice and fair play and bring a bad name to the Government.

With due respect to the President of the Arms Rules Revising Committee, I may say that I do not for a moment accept the arguments sometimes put forward before the witnesses, that the presence of too many arms may prove dangerous to the public on such occasions as the Arrah or Katarpore riots. I wonder why no such riots ever take place or have ever taken place in any of the Indian States, although the use of arms there is almost freer than in British India. It entirely depends, if I may say so, on the temperament of the people and the way in which delicate situations are handled by the Government. In the Indian States, there is no such thing as quarrels between the Hindus and the Musalmans, probably because their rulers do not seem to have yet adopted the unwise policy of the "divide and rule."

If I remember it right the Committee had decided that the powers of fixing the number of licences in any district, in the case of necessity should still remain with the local Government. May I just say a few words about this—and finish this minute of dissent with the hope that these new rules will be dealt with a new and a broader vision—I do not think there is any harm if the local Governments be given such powers, but, before limiting or reducing the number of licences in any particular district, I hope the local Government will kindly announce through their local gazettes—at

least a month before—the name with the date of the district where this new order is to be enforced, and also the reasons for doing so, with the opinion, if possible, of some of the leading officials and non-officials of the district concerned, then and then alone should the local Governments be empowered to enforce this order.

*Government of India, Resolution, No. F.—829-1-22,  
dated the 3rd November 1923.*

In pursuance of a resolution moved in the Legislative Assembly on the 8th of February 1922 by Baba Ujagar Singh Bedi, a Committee was appointed by the Governor-General in Council to examine the Indian Arms Rules, 1920, and to make recommendations with a view to their amendment. In accepting this resolution the Governor-General in Council had made it plain that there could be no departure from the two principles :—

- (1) that there should be no racial discrimination in the rules, and
- (2) that the Government must retain the power to impose restrictions to prevent arms and particularly firearms from falling into the possession of lawless or dangerous persons.

The Committee submitted its report in November 1922. On the 15th of February 1923 the Hon'ble Home Member stated in the Legislative Assembly that subject to enquiries from local Governments and other authorities concerned on certain points of detail the Government of India were prepared to accept the main recommendations of the Committee. They could not, however announce their decision on all the recommendations made without prior consultation with local Governments who are in charge of the detailed administration of the rules. Local Governments accordingly were asked for their views and at the same time were requested to give effect as far as possible to the principles adopted by the Committee where this was feasible pending the modification of the rules of 1920. The replies of local Governments have now been received and have been fully examined by the Government of India. The Indian Arms Rules, 1920, have been amended where necessary and are now republished as the Indian Arms Rules, 1924 : but many recommendations accepted in whole or in part involve no amendment of the rules, and on these the Government of India are now pleased to announce their decisions.

2. In paragraphs 3 to 7 of their report the Committee deal with the question of exemptions. The Government of India agree with the general principle adopted by the Committee that the confinement of the privilege of exemption is in the special circumstances of India preferable to its total abolition. They accept the conclusions regarding entry 1-(a) and entries 11, 11-A and 11-B of the schedule of exemptions, but they only agree to the proposal that members of the Imperial Legislature should enjoy exemption for their term of office with some reluctance. It is opposed by local Governments on the one hand, as creating an invidious distinction between the members of the Central and of Provincial legislatures, and on the other hand certain members of the Central legislatures



claim a life-exemption and not merely exemption for their terms of office. As regards entry 6 (d), 6 (f), 6 (g), and 6 (i), enquiries have been made from the local Governments concerned. They are averse from the preparation of lists in the sense recommended by the Committee. It is pointed out with justice that exemption is not conferred on certain Great Sardars or Zamindars as a right but as a privilege and that if the term were precisely defined and a list of all persons who came within that definition were maintained the fact of inclusion in the list would encourage claims for exemption as a matter of right. Moreover, the compilation of list on a logical and uniform basis throughout India would present difficulty and would inevitably result in anomalies. The most expedient course, therefore, and that which will secure the maintenance of the principle that exemption is a privilege and at the same time minimise the inconvenience referred to by the Committee, is to attempt no definition of the terms Great Zamindars or Great Sardars or the like in the rules and the schedule, but to leave it to the several local Governments themselves to determine what persons or classes of persons should be included in these categories. The schedule has therefore been amended accordingly.

3. The Government of India after consultation with the local Government on the Committee's observation on entry No. 7, are of opinion that there is no necessity to retain entries 7 (c) and 8 of Schedule I in view of entries 8 and 9 of Schedule IV. The proviso therefore to entry 7 (c) in column 3 automatically disappears. As regards the recommendation that the same privilege should be extended to the districts of Campbellpur, Rawalpindi and other districts adjoining the North-West Frontier Province, the local Government after careful consideration, have reported that no extension of this privilege is required, but in order to meet the danger of raids in the Attock District, suggest that power be given to them to issue licences for going armed in that district without payment of fee. The Government of India accept this suggestion and have accordingly amended the heading of the appropriate licence form. As regards entry 13, after careful consideration, they have decided that the words "or the Commander-in Chief" should be added.

4. The Government of India accept the recommendation made in paragraph 4.

5. In paragraph 5 the Committee recommend that all exemptees should register the arms in their possession in respect of which they enjoy exemption and that registration should be compulsory. The Government of India accept the principle of registration but have decided that registration should be confined to firearms, and that no fee should be charged. In practice, they consider it would suffice if every exemptee were required to furnish the District Magistrate with information as to the weapons in his possession, failure to do so rendering him liable to the cancellation of his exemption.

6. To give effect to the recommendation regarding entries 11, 11-A and 11-B, the Government of India have decided that those entries will be deleted from the Schedule and that no mention will be made of those classes in the revised rules. Every person now

enjoying the privilege of exemption under these entries in the rules of 1920 or under entry 12 thereof, since the same considerations apply in their case also, will, on application, receive free of all fees, a licence in form XVI, specially made valid for the lifetime of the licensee in respect of any arms now in his possession and hitherto exempt from licence provided he applies within six months of the coming into force of the rules of 1924. The privilege will not of course extend to title-holders who received titles after the 1st of January 1920, who unless otherwise exempt, will, as before, be required to take out a licence under the rules.

7. In paragraph 8 the Committee recommend that in extension of the classes described in Home Department resolution No. 2124-C., dated the 21st March 1919, (page 1, *ante*) the payment of Rs. 500 land revenue, of Rs. 100 in roads and public works cesses, any payment of income-tax, and in the case of a Government servant receipt of a pay of Rs. 100 a month and upwards should be the qualification constituting eligibility for what is commonly known as the "entitled class." The Governor General in Council accepts the principle underlying this recommendation that the grant of licences should be less restricted, and more free from irksome enquiries than was represented to be the case by many witnesses examined by the Committee and agrees with the qualifications suggested by the Committee as providing sufficient *prima facie* justification for the possession of arms. He is unable, however, to accept the recommendation that provisions recognizing and constituting an "entitled class" should be embodied in the rules. Conditions vary greatly in different provinces in India. In some quarters a practice is in force more liberal than that recommended by the Committee; but in others it is necessary in the interest of law and order to secure that arms do not fall into the possession of lawless or disaffected persons, and therefore they are unwilling to embody in statutory rules any provision which would have the effect of curtailing the power or discretion of the District Magistrate in ordering enquiries. The term "entitled class" is somewhat unfortunate. The rules as now framed contain no provisions inconsistent with the principle underlying the recommendation of the Committee, but the term "entitled class" has created the erroneous impression that there is a special class, enjoying fewer privileges than the exemptees, but greater than those who are neither exemptees nor members of the "entitled class." There is of course no such special class. The term is merely intended to comprise all those whose means and status *prima facie* connote respectability and therefore justify the presumption that they are fit and proper persons to possess arms. While therefore no mention will be made of an "entitled class" in the statutory rules, at the same time the Government of India are anxious that the qualifications recommended by the Committee should be generally adopted by the local Governments and should be made widely known. Where, however, a local Government has laid down more liberal qualifications, these should not now be abandoned. They cannot support the recommendation that lists of the "entitled class" should be maintained; the qualifications are so low that each district list would be voluminous, and its

preparation and maintenance would involve the appointment of a special staff. The expenditure and labour involved would be wholly incommensurate with the results obtained.

8. In paragraph 10, the Committee recommend that where enquiry is necessary the agency of the police should not, if possible, be employed; but that if no other agency of enquiry is available a licence should not be refused on the strength of a police report alone but only after a further magisterial enquiry. The Government of India are unable to concur in this recommendation and are constrained to deprecate a reflection on the good faith of the police. The replies of local Governments indicate that it is impossible to eliminate enquiry by the police in the cities and that owing to the shortage or absence of suitable revenue staff, no other agency is available in many district areas. At the same time the replies show that enquiry is frequently carried out by other agencies where these are available. The Government of India are of opinion that the agency of enquiry is really a matter for local Governments and are accordingly adverse from imposing any restriction on the choice of agency. They leave the matter in the hands of local Governments who will, they are confident, take all steps necessary to secure that whatever previous enquiries are necessary they are promptly carried out, and in a manner which is neither inquisitorial nor calculated to wound the self-esteem of the applicant.

9. The Government of India are in complete agreement with the recommendation made in paragraph 11 that ordinarily no arbitrary limit should be imposed on the number of licences issued in a district but that local Governments should have the discretionary power of limiting the number of licences in any area or district in which the number of arms justifies the apprehension of serious danger or in which such restriction is deemed necessary for the maintenance of public tranquillity. They accept the recommendation in paragraph 12 and have provided for the right of appeal by an amendment of the rules. The recommendation in paragraph 13 is accepted subject to a partial reservation as to the proposal that the duration of the licence should be for the calendar year. Local Governments have pointed out that in practice inconvenience would arise and would prefer that licences for possession and going armed and for protection of crops or destruction of wild animals should run from the date of issue, but have no objection to other licences being issued for the calendar year. The Government of India agree with the views of the local Governments.

10. In paragraph 14 the Committee have dwelt on the inconvenience to which persons desirous of purchasing weapons are put because they cannot produce the weapon when applying for the licence necessary for its possession. The Government of India agree with them that it is not necessary to provide for issue of temporary licences in such cases and accept the recommendation that a regular licence should be issued at the time the applicant applies for a licence, if the application is granted. Provision has been made in the condition attaching to the appropriate licences for the details of purchases to be filled in on the form by the dealer from whom the purchases are made and also, to meet criticism

offered in this respect, for details to be furnished to the licensing authority by the licensee himself in any case in which he purchases arms and ammunition from any person who is not a licensed dealer.

11. The Government of India accept the principle of the recommendation made in paragraph 15 that a temporary licence for 14 days should be given to persons arriving in India by sea and not in possession of a regular licence on the payment of full fee by the Customs Authorities. It is however open to objection in detail. The period clearly will in many cases be too short for the object in view; the payment of the full fee to the Customs Authorities will deprive local Governments of their legitimate revenue; and finally it is doubtful whether the agency of the Customs Authorities is altogether suitable for the purpose. The Government of India have therefore decided that a temporary licence for the period of the journey to destination should be granted by the Commissioners of Police at Bombay, Madras, Calcutta, Rangoon, or the District Magistrates at other ports, on a special form on the payment of a fee of Re. 1 for each weapon and that on arrival at destination a regular licence should be taken out in the ordinary way. No practical difficulty need be anticipated. It will be made clear in the form of temporary licence that it does not cover possession after arrival at destination. Travellers arriving in India possessing no regular licence and desirous of obtaining one should inform their agents beforehand of the weapons they intend to import and instruct them to obtain the necessary temporary licence. On arrival at destination they should apply for the licences required in the ordinary way.

12. The Government of India accept the recommendations made in paragraph 16. The conditions of the licence forms have accordingly been altered so as to make it compulsory to report the loss of firearms. A note has also been appended to the licence forms explaining that the breach of any of the conditions of the licence renders the licensee liable to the penalties which may be imposed under the Act.

13. The Government of India accept the recommendations made in paragraphs 17, 18, 19 and 20 and trust that local Governments will give effect to them both in the letter and the spirit. As regards paragraph 20 they agree that the District Magistrate or any Magistrate in charge of a sub-division in the District in which the licensee is residing or in any other district in which he is known should be empowered to renew a licence. In any case of doubt it is always open to such Magistrate to make enquiries from the licensing authority which originally granted the licence.

14. In paragraph 21 the Committee state their recommendation in regard to fees. There is some diversity of opinion in the replies received from the local Governments, some accepting the proposal, some recommending no change and others putting forward variants of their own. The principal objection is the loss of revenue which will result from the adoption of the scale proposed by the Committee; in some quarters, too, it is suggested that the large number of arms-licences issued does not justify the belief that persons who require weapons are deterred from purchasing them by the high

## 24 GOVERNMENT OF INDIA RESOLUTION OF NOVEMBER 1923.

cost of the licence. The Government of India are impressed by the substantial loss of revenue which complete acceptance of this recommendation will entail. On the other hand they cannot overlook the fact that stress was laid on the desirability of reducing the fees before the Committee, particularly in the case of breech-loading weapons, by many of the witnesses who were examined. They have accordingly decided that the initial fees should remain unchanged but that half of these fees should be chargeable on renewal provided applications are made within a month following the expiry of the period covered by the original licence. In their opinion this reduction of the renewal fees will afford substantial relief, and is the most they can agree to in the present financial stringency. They accept the recommendation in regard—(1) to the payment of fees by non-judicial stamp, but consider that an applicant should have the option of paying them in cash,—(2) the application for licences, (3) the renewal of licences by post,—(4) exemption from payment of fees in the circumstances stated in the concluding portion of paragraph 21, and (5) the payment by dealers of a single fee for import into India and transport to destination.

15. As regards the limit on possession of ammunition, the Government of India agree with the recommendation of the Committee and trust that local Governments will, if they have not already done so, issue suitable instructions on the lines recommended.

16. They accept in principal the recommendation made in paragraph 23 that the issue of all-India licences should be as unrestricted as possible. They agree that Assam and Burma should no longer be excluded from the all-India licence; but they consider it necessary to make a provision that anyone who has secured an all-India licence in one province shall, if he enters another province, be subject to such restrictions as may be imposed by that province, as for example, that an all-India licence granted in one province should be endorsed by the District Magistrate of the district of another province visited by the holder of the licence. Enquiries as recommended have been made from the Punjab, Burma, the North-West Frontier Province and Delhi whether the retention of these provinces in column 1 of Schedule II is required; the North-West Frontier Province agrees to exclusion, but the Government of India are unwilling at present to adopt this suggestion in the case of the Punjab (with which Delhi may be included) or Burma. On the proposal made in paragraph 23 regarding greater expedition in dealing with applications for licences it is impossible and indeed unnecessary for the Government of India to issue any general orders. They are aware that local Governments are fully alive to the necessity of prompt attention to applications for the grant and renewal of licences. They trust that no avoidable delay will occur; that if at any time the pressure of work in connection with licence applications become abnormal, special measures will be taken to cope with it; and that if in any case unnecessary delay has occurred steps will be taken to prevent its recurrence in future.

17. The Government of India accept the recommendations made in paragraph 25, 26, 28, 29, and 33, but are unable, in view of the

stronger objections placed before them by the military authorities that there is no difficulty in converting such rifles to take Government ammunition, to accept the recommendation contained in paragraph 27. As regards the recommendation in paragraph 31, the Government of India are of opinion that it is advisable to regularize the practice followed by licensed dealers of employing assistants to conduct their business in their temporary absence, and the licence form granted to dealers has accordingly been amended so as to include a column for the names of duly authorized assistants.

18. The recommendation contained in paragraph 30 does not commend itself to the Government of India. They apprehend that the carrying of firearms by females might have dangerous results, and would only expose such females to attack from lawless persons desirous of stealing weapons. In their opinion it should be possible to meet the situation which the Committee appear to have had in mind by the entry of certain specified members of the licensee's family as retainers.

19. On the recommendation made in paragraph 32 urging reciprocity with Indian States the Government of India are not in a position to make any announcement. They have taken up the matter with the various States, and negotiations are proceeding.

20. The changes in the rules necessitated by the acceptance of these recommendations have been made; and the rules are now published as the Indian Arms Rules of 1924. It has not been found possible to accept *in toto* the recommendations of the Committee in regard to the form in which the rules should be published. They advised a separation of the technical directions intended for dealers from the rules governing the grant of licences for possession of fire-arms for private purposes. An attempt was made to draft the rules on this principle, but it was wholly unsatisfactory, and was accordingly abandoned. The Indian Arms Rules of 1920 follow the order of the sections of the Act; this is obviously the logical arrangement of the rules and it is clearly convenient on administrative grounds that the sections of the Act and the rules should be in the same sequence. Moreover, the difficulties of interpretation to which the Committee have adverted are due far less to inherent obscurity or to the incorporation of technical directions than to the fact that they are not self-contained. To be properly understood they must be read in conjunction with the Act and with the schedules and such difficulties as the ordinary member of the public feels, will not be solved by the publication of a paraphrased or abbreviated edition of the rules but by the dissemination of information as to the correct procedure of applying for and securing a licence. The Government of India have accordingly prepared for such use as local Governments may consider suitable a short pamphlet in popular language, describing the procedure regulating the application for licences for the possession of firearms for purpose of sport, protection, show and the like. They trust that this pamphlet will be translated in to the various vernaculars and that publicity will be given to it.

21. In conclusion the Governor General in Council wishes to express his appreciation of the labours of the Committee. The Indian Arms Rules of 1920 evoked much criticism and many defects were removed as they were pointed out. But much remained to be done when the Committee was appointed in 1922, and their business-like and practical recommendations coupled with a sympathetic administration of the rules by the local Governments should go far towards removing any dissatisfaction which may still remain.

*A brief explanation of the Rules affecting the possession of arms  
by private individuals.*

1. Complaints have been made that the Indian Arms Rules are not easy to understand. They contain many technical directions of no interest to the private person who desires to possess arms for private purposes; they have been modified from time to time and have been considerably revised this year (1923-24) and as they have to be read in conjunction with the Act and the schedules, the layman sometimes finds it hard to ascertain the procedure he should follow in order to secure a licence and to understand the conditions on which he may keep arms. This pamphlet has been prepared, therefore, with a view to explaining to the public the procedure laid down for obtaining and renewing arms licences, purchasing ammunition, carrying weapons on journey, importing or exporting weapons for private use and the like. It does not purport to be an exhaustive paraphrase of the Rules but merely sets forth, in language free from legal technicalities, what the procedure is without touching on matters connected with the manufacture, import, export and sale as affecting dealers.

2. Every person who is not specially exempt from the operations of those sections of the Act which prohibit the keeping or carrying of arms without a licence must take out licences to cover any arms or ammunition which he possesses or wishes to purchase. A list of the persons and classes of persons so exempt will be found in Schedule I of the Indian Arms Rules, 1924. Persons exempt however are subject to the following conditions:—

**Persons who require  
licences and those  
exempt.**

- (i) the number and description of arms in respect of which exemption is enjoyed may be restricted under separate orders issued by each local Government. Where such orders are in force, arms in excess of the prescribed numbers or descriptions must be covered by licences;
- (ii) all fire-arms [and ammunition] in a person's possession must be registered in such manner as the local Government may prescribe;
- (iii) the loss or theft of any arms or ammunition must be reported forthwith at the nearest police station; and
- (iv) arms or ammunition may not be imported through the post office and in Burma may not be despatched through the post.

Orders regarding conditions (i) and (ii) are issued separately by each local Government in regard to its own territory. It is not possible, therefore, to state here what they are, but the necessary information will be easily obtainable from a Commissioner of Police in a Presidency Town or the nearest Magistrate. In the old rules, 1920, the list of exemptions was much larger than it is now: and certain categories have been excluded from the new schedule. Such persons now excluded but exempt under the rules of 1920 will be granted a life certificate of exemptions free of fees in respect of the weapons in respect of which they now enjoy exemption provided they apply within six months of the issue of the Rules of 1924.

3. Generally speaking, that is, outside the provinces of the Punjab, Burma and Delhi, licences are not necessary to cover possession of arms other than firearms *e. g.*, sword-sticks, daggers, spears, etc., but it may happen that in particular districts or cities in other provinces under special orders of the local Government, licences in respect of such arms may be necessary. As, however, orders of this description are issued in a time of emergency and rescinded when the emergency has passed, it is not possible to include details in this pamphlet and persons who may have doubts are therefore advised to make enquiries from the Commissioner of Police in the Presidency Towns and elsewhere from the nearest Magistrate. Where necessary, licences for arms of this description are issued for a fee of eight annas for each weapon. Otherwise, throughout British India with the exception of a few scattered districts, details of which may be found, if fuller information is desired, in schedule IV to the Indian Arms Rules, licences to cover possession of and going armed with all firearms are necessary. These are of various kinds and the applicant should make up his mind which form of licence he requires before submitting his application. For example:—

4. Licences may be given entitling the holder to keep arms (other than pistols and revolvers) and ammunition in a certain place but not to go armed; or again,

Licences may be given permitting the holders to possess arms and go armed for the purpose of sport, protection or display or again,

Licences may be given to possess arms and go armed for the destruction of wild animals which do injury to human beings, cattle or crops—(These are intended mainly to help cultivators and are granted free of fees); and, lastly,

Licences may be given to go armed on a journey.

5. It may be asked whether everybody is entitled to a licence on payment of the prescribed fee. The answer is in the negative. Any person of course may apply for a licence, but the grant of licences is governed by the broad principle that arms and ammunition must not be allowed to fall into the hands of lawless people. It is clearly impossible for all applicants to be personally known to the licencing



authority, who in order to discharge properly the responsibility laid on him, must in many cases cause enquiries to be made, through any agency he deems best, into the *bona fides* of the applicant and his fitness to possess arms before he can grant a licence. The Government of India have, however, laid down certain qualifications the possession of any one of which, connotes, in their opinion, sufficient evidence of respectability to warrant the grant of licence without further enquiry unless the licensing authority has a sufficient and definite reason for refusal or for ordering enquiry. These qualifications are ;—

- (a) Membership of any Order established by the Crown or the possession of a title conferred or recognized by the Government of India or of the Kaiser-i-Hind Medal or a Certificate of Honour.
- (b) Membership, past or present to the Indian Central or Provincial Legislatures.
- (c) Payment of not less than Rs. 500 land revenue or Rs. 100 in roads or public works cesses, or any payment of income-tax.
- (d) Being a Government officer in receipt of a salary of not less than Rs. 100 per mensem.
- (e) Being a Commissioned or gazetted officer of His Majesty's Naval, Military or Air Forces, Indian Marine Service or a Commissioned Indian Officer of the Imperial Service Troops in active service.
- (f) Being a pensioned officer who before retirement was by virtue of his official position included in (d) or (e) above.

6. The licence which is most generally required is that which will enable the holder to possess arms and go armed for purposes of sport, protection or display. This licence is granted in Form XVI and anyone wishing to obtain it should apply either in person or by post to the Commissioner of Police in Presidency towns and elsewhere to the nearest District or Sub-Divisional Magistrate unless the applicant ordinarily resides in an Indian State and may have occasion to visit British India in which case he should apply to the Political Officer of his State.

7. Details of the Fees chargeable for a licence in this form will be found on reference to the heading of Licence Form XVI.—Broadly, they are :—

Fees.

- (i) for a breech-loading revolver or pistol Rs. 10,
- (ii) for any other breech-loading weapon Rs. 5.
- (iii) for any other weapon annas 8.

These rates apply to a licence granted for the first time. On renewal, fees at half these rates, except in the case of the last named, will be charged.

There are, however, certain classes of persons who, in virtue of their past or present civil or military service, have been exempted from the necessity of paying fees for licence in this form. Details of these will also be found in Schedule VII. Otherwise, where payable, fees may be paid either by means of a non-judicial stamp affixed to the application or in cash at the option of the applicant.

8. Licences in Form XVI are originally granted for one year from the date of issue and for the most part hitherto have been valid only in the district in which they were granted. Licensees should, however, realize that if they wish to avoid the inconvenience of annual renewal they may apply for a licence valid for a period not exceeding three years which will be granted on payment of a compounded fee. A licence in this form may also be made valid for the whole of British India and the practice of giving such all-India licences has been encouraged in order to minimise the inconvenience otherwise caused to persons who move frequently from one district to another. It should be observed that a condition attaching to a licence specially made valid for the whole of British India is that its validity is subject to such restrictions as may be imposed by a local Government in respect to its own territory. *e. g.*, counter-signature by a local officer of a licence granted or renewed by an officer of another province, etc., and holders of such licences are advised in their own interests to ascertain, when they have occasion to go outside the province in which they originally obtained their licence or subsequently had it renewed, whether any such restrictions have been imposed in the province to which they have gone. This information will be readily obtainable from the nearest licensing authority in the new province who will also, in most cases, be in a position to regularize the licence if this is necessary.

9. The amount of ammunition for revolvers, pistols and rifles other than 22 bore, which the licensee is entitled to possess at any one time or within the period of validity of the licence will be entered on the licence. This amount is determined by local Governments and all purchases of ammunition for these weapons must be entered on the licence form by the vendor but there is no necessity for the latter to enter purchases of any other kind of ammunition on the possession of which there are no restrictions nor has he any need to enter on any form of licence purchases of any kind of ammunition, other than that for rifles of '303 or '450 bore (and\* revolvers or pistols of '450 or any intermediate bore) (to effect the purchase of which ammunition possession licences have to be taken out even by persons otherwise exempted) made by persons who are exempted from the necessity of taking out licences.

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\*According to later amendments it should be [pistols or revolvers of '441, '451 or any intermediate bore.]

10. Where a licence is valid only for the district in which it was granted and the holder wishes to carry his weapons on a journey or in cases in which the licensee wishes to go on a journey accompanied by his retainers who are accustomed to bear arms when accompanying him, a licence is required for which a fee of four annas is charged for all weapons except revolvers or pistols for which a fee of Rs. 10 is exacted. These licences are obtainable from a Commissioner of Police, a District Magistrate or a Sub-divisional Magistrate specially empowered to grant them and as the law requires an officer who receives an application for a journey licence to obtain the previous approval to its grant of the proper authority of the place of residence of the applicant in cases where the latter does not reside within the jurisdiction of the officer to whom application is made or not personally known to him, unless for any special reason this precaution is considered unnecessary, persons are advised to allow for the delay that such enquiries must cause by submitting their applications some time before the actual date of the journey. It should also be noted that a journey licence does not entitle the holder to use the arms covered by it for purposes of sport in the course of his journey. A licensee holding a district or a provincial licence wishing to proceed to any place outside the district or province for sport should have his licence made valid for that place and that for the journey thereto or, and he is advised to do this, get his licence made valid for the whole of British India.

11. The conditions attaching to the grant of any licence are printed on the form itself. These should be carefully noted and observed as the infringement of any one of them constitutes an offence under the Indian Arms Act and renders the holder of the licence liable to prosecution. Prominent amongst these conditions are those which require the giving of information forthwith at the nearest police station of the loss or theft of any arms or ammunition and the embargo on the taking of arms to a fair, religious procession or other public assemblage unless specially authorised to do so.

12. As has already been stated, licences to cover possession and going armed are granted for a period of from one to three years. When this period is nearing expiry, if the arms covered by a licence are still in the holder's possession, he should apply for renewal of his licence. Such an application should be addressed either to the authority who granted the licence or the nearest District or Sub-divisional Magistrate according to which officer's headquarters are nearest to the applicant's place of residence for the time being. Production of arms is not usually demanded before a licence is renewed but it should be understood that it rests with the licensing authority to demand this if he deems it necessary. The original licence should, of course, accompany all applications for renewal. In many cases personal applications will be found most speedy and convenient and are therefore encouraged where persons reside at headquarters stations or in cities and towns but there is no objection to the submission of these applications through the post. It has already been

stated that fees for renewal are, with one exception, muzzle-loading firearms and other arms, half the original fees. In this connection it should be noted, however, that licensing authorities have discretion to levy fees at the original rates in respect of renewals where the application for renewal is not received within a month following the date of expiry of the licence and where there is no sufficient excuse for the delay.

13. Private individuals frequently wish to import firearms into India as part of their personal luggage. If a licence covering possession in India has been obtained beforehand or if a person is one of an exempted class no difficulty arises as on production before the Customs authorities of the licence or proof, if required, of exemption, the arms can at once be cleared since in these cases no special licence to cover import is necessary. In the majority of cases, however, concerning non-exempted persons, the arms are not covered by a possession licence and in cases of this kind where a person's final destination in India is not the port of arrival, a licence covering temporary possession during the period of the journey from the port of disembarkation to the place of destination can be obtained on payment of a fee of Re. 1 per weapon from the Commissioner of Police or District Magistrate at the port of arrival. This will enable an individual to take his weapons with him on his journey up-country but on arrival at his destination he must take out a regular licence in the ordinary way. The objection that there may be no time on arrival in which to obtain a temporary licence of the kind described from the Commissioner of Police or other authority can easily be met by the individual instructing his agent in advance to obtain this licence on his behalf to cover the weapons he is bringing with him and a description of which should be furnished to the agent. The great advantage of this procedure is that the importer will be able to proceed at once on his journey with his weapons in his possession instead of leaving them in deposit with the Customs authorities until a proper licence covering possession can be obtained in respect of them.

14. Rifles of '303 and '450 bores and revolvers or pistols of '450 bore, [revolvers or pistols of '441, '455 or any intermediate bore] are not allowed to be imported into British India except under the special sanction of the Government of India which is only given for exceptional reasons. This prohibition applies to all weapons the bore of which is of the dimensions given irrespective of the dimensions of the chamber or "lead" and whether, as manufactured, Government ammunition can or cannot be used in them. Even persons who have been granted the privilege of exemption have had it restricted in this respect to weapons which have been lawfully imported into British India and no licensing authority is permitted to give a licence to cover possession of such weapons to non-exempted persons unless he is satisfied that they have been lawfully imported. This can only be the case if special permission has been obtained or the weapons were in India

before the prohibition against import came into force, *i.e.*, in the case of the rifles before January 1901, and of revolvers or pistols before the latest Arms Rules, those of 1924. came into force. To ensure, however, that persons who own such rifles lawfully for sporting purposes and revolvers or pistols obtained before their import was prohibited, may obtain ammunition for the same in reasonable quantities provision has been made in the Rules to permit selected dealers being allowed to import and sell such ammunition to qualified persons, *i.e.*, those who hold licences covering possession of the same.

15. Private individuals are not required to obtain any special licence to cover the export of arms and ammunition which they may desire to take out of the country with them or send out of India provided these are of a reasonable quantity and their possession in India is covered either by a licence or by exemption,

16. In the Appendix which follows will be found the list of exempted persons [*Vide* Schedule I, of the Rules], of persons entitled to a life certificate, [\*printed below], persons who are not required to pay fees for possession licences [*Vide* Schedule VII.] and specimen copies of the licence forms [*i.e.*, Forms Nos. XIV, XVI, XVII, XVIII, XIX and XX in Schedule VIII.]

\*1. All individual members of the undermentioned classes who were as such exempted under the Indian Arms Rules, 1909, immediately before the coming into force of the Rules of 1920 :—

(a) members of any Order of Knighthood; (b) persons holding the Kaiser-i-Hind medal; (c) persons holding titles conferred or recognised by the Governor-General in Council; (d) persons holding swords or other arms received as gifts from the Governor-General in Council or a local Government; (e) persons holding certificates received on the occasion of the assumption of the title of Empress of India by Her late Majesty Queen Victoria; (f) retired officers (other than retired subordinate, warrant, petty and non-commissioned officers) of the Royal Navy and retired British and Indian officers within the meaning of section 7 (1) and (2) of the Indian Army Act, 1911, in receipt, as such, of a pension; and (g) landholders and members of a Municipal Board or a Committee designated for exemption in any list issued in this behalf of a local Government.

2. All persons who before the 1st day of January 1920, had been admitted as members of the Distinguished Service Order, the Imperial Service Order, the Indian Order of Merit or the Order of British India, or had been awarded the Victoria Cross, the Military Cross, the Distinguished Flying Cross, the Distinguished Conduct Medal, the Distinguished Flying Medal, the Long Service and Good Conduct Medal, the Volunteer Decoration, the King's Police Medal, the Volunteer Long Service Medal or the Indian Distinguished Service Medal.

3. Retired officers (other than retired subordinate, warrant, petty and non-commissioned officers) of the Royal Navy and retired British and Indian officers within the meaning of section 7 (1) and (2) of the Indian Army Act, 1911, in receipt, as such, of a pension, who retired after the 31st December 1919 and before the 1st July 1921, and are resident in the Punjab.

4. Such of the second and third class Sardars of the Deccan, of the second class Sardars of Gujrat and of the Mehwasi Chieftains in the Bombay Presidency as were exempted under the Indian Arms Rules, 1909, and Meherban Fattessing Gumansingh, the Chieftain of Chikali.

## THE INDIAN ARMS ACT, XI OF 1878.

*I.—Preliminary.*

## PREAMBLE.

## SECTIONS

1. Short title,—Local extent,—and Savings.
2. Commencement.
3. Repeal of enactments.
4. Interpretation-clause.

*II.—Manufacture, Conversion and Sale.*

5. Unlicensed manufacture, conversion and sale prohibited.

*III.—Import, Export and Transport.*

6. Unlicensed importation and exportation prohibited.—  
Importation and exportation of arms and ammunition for private use.
7. Sanction of Local Government required to warehousing of arms, etc.
8. 9. [*Repealed.*]
10. Power to prohibit transport.  
Transhipment of arms.
11. Power to establish searching stations.
12. Arrest of persons conveying arms, etc. under suspicious circumstances,  
Procedure where arrest made by person not a Magistrate or a police officer.

*IV.—Going armed and possessing Arms, etc.*

13. Prohibition of going armed without licence.
14. Unlicensed possession of fire-arms, etc.
15. Possession of arms of any description without licence prohibited in certain places.
16. Arms, of which possession has become unlawful, to be deposited at police-station.

*V.—Licences.*

17. Power to make rules as to licences.
18. Cancelling and suspension of licence.

*VI.—Penalties.*

19. For breach of sections, 5, 6, 10, 13 to 17.
20. For secret breaches of sections 5, 6, 10, 14 and 15.  
For concealing arms, etc.
21. For breach of licence.
22. For knowingly purchasing arms, etc. from unlicensed person.  
For delivering arms etc. to persons not authorized to possess them.
23. Penalty for breach of rule.
24. Power to confiscate.

*VII.—Miscellaneous.*

25. Search and seizure by Magistrate.
26. Seizure and detention by Local Government.
27. Power to exempt.
28. Information to be given regarding offences.
29. Sanction required to certain-proceedings under section 19, clause (f)
30. Searches in the case of offences against section 19, clause (f), how conducted.
31. Operation of other laws not barred.
32. Power to take census of fire-arms.
33. Notice and limitation of proceedings.

THE FIRST SCHEDULE.—ENACTMENTS REPEALED.—  
THE SECOND SCHEDULE. [*Repealed.*]

## STATEMENT OF REPEALS AND AMENDMENTS.

Section 1 (b) amended in part by	...	Act XLIX of 1920, Sec. 35.
Sections 8 and 9 and Second Schedule	}	Act XII of 1891, First Schedule.
Repealed, and Section 14 Repealed in part, by		
Section 16 substituted by	...	Act XX of 1919.

## THE INDIAN ARMS ACT, XI OF 1878. [15th March 1878.]

[AS AMENDED BY ACT XX OF 1919 AND ACT XLIX OF 1920.]

An Act to consolidate and amend the law relating to Arms, Ammunition and Military Stores.

*Statement of Objects and Reasons, [12th Dec. 1877]*

1. The law relating to arms, ammunition and military stores has long been felt to be in an unsatisfactory stage. In some particulars it has been found defective, and on many points it presents difficulties of construction which might at any time prove embarrassing to the Government or entail hardship on innocent persons.

2. So far back as the year 1870 a Bill was introduced to remedy this state of things; but, owing in part to press of work and in part to other causes it was allowed to stand over.

3. The present Bill is in the main a consolidation of the existing law, and a re-enactment of it in a simpler form with such improvements in points of detail as the experience of the working of the Arms Act of 1860 has shown to be desirable. On two points only does it propose to introduce changes of any importance.

4. The first of these points is dealt with in section 7, which, taken with the second schedule, imposes duties on the importation by sea of arms, and parts of arms, etc. Those duties, it will be observed, are fixed without reference to the value of the articles on which they are imposed, and they are so fixed and pitched, at what may seem at first sight to be high rates, expressly with a view to check the importation of a cheap class of arms, the importation of which has of late years largely increased.

5. Such arms cannot from their inferior make, be intended for sporting purposes, and there is reason to suspect that a considerable proportion of them finds its way into the hands of the criminal classes in the interior of the country or of the hostile tribes on our frontiers. It has been found very difficult to prevent the transit of such arms from the sea-ports into the interior of the country and towards the frontiers when once they were imported, and it is believed that the simplest method of checking their importation, and the method best calculated to interfere with the legitimate trade in arms of a superior class, is to impose an uniform duty of the nature proposed.

6. The other point in which the Bill goes to introduce a material change in the existing law is that of the possession of arms. At present the mere possession of arms is prohibited only in certain provinces, which, to use the language of Act XXXI of 1860, have been "disarmed." Throughout the rest of the country, though no person can go armed or carry arms except under a special exemption or by virtue of a licence, the mere possession of arms other than cannon is not restricted.

7. Now there is good reason to believe that this complete absence of restriction in the districts which have not been disarmed has led to the law prohibiting the transport of arms and the export of arms across the frontiers being extensively evaded. As long as all persons indiscriminately may have arms in their possession to any amount they please in the districts which have not been disarmed, it is practically impossible to prevent such arms being passed on to the disarmed districts, to the predatory classes in Native States, and to the hostile tribes on our frontiers.

The only remedy seems to be to place the possession of arms throughout the whole of British India under control and this it is proposed to do by section 11 of the Bill, which requires all such possession to be under a licence.

8. It will, however, be observed that ample safe guards are provided to prevent this prohibition pressing unfairly against respectable persons desiring to possess arms for legitimate purposes. Section 11 allows a period of three months after the Bill becomes law within which the possession of arms in the districts not hitherto disarmed will not be illegal, and during which any person in such districts can apply for a licence; section 25 enacts that in these districts no person shall be prosecuted for possessing arms without the previous sanction of the Magistrate of the District; section 26 imposes special and very stringent condition on searches for arms; and lastly, under section 23, the Government may exempt any class of persons from the operation of the prohibition altogether.

9. On the whole it may be safely affirmed that, with a system of licences granted either without charge or on the payment of small fees, and in cases where it is safe so to grant them for reasonably long periods the Bill will not, as regards the possession of arms, materially affect the position of any person to whom the right to possess arms can, with a due regard to the public peace and safety, be conceded.

10. It need only be added that section 3 of the Bill maintains in force all exemptions granted under the present law.

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Whereas it is expedient to consolidate and amend the law relating to arms, ammunition and military stores;  
**Preamble.** It is hereby enacted as follows :—

*I.—Preliminary.*

**Short title, Local extent.**

1. This Act may be called the Indian Arms Act, 1878; and it extends to the whole of British India.

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[NOTE.—“British India” shall mean all territories and places within His Majesty’s dominions which are for the time being governed by His Majesty through Governor-General of India or through any Governor or other officer subordinate to the Governor-General of India. (Vide sec. 3 (7), General Clauses Act X of 1897.)]

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**Savings.** But nothing herein contained shall apply to—

(a) arms, ammunition or military stores on board any sea-going vessel and forming part of her ordinary armament or equipment, or

(b) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government or by a public servant [or a member of either of the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920] in the course of his duty as such public servant or member.

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**NOTES.**

(1) This section was amended by Act XLIX of 1920, and the words “or a member of either of the forces constituted by the Indian Territorial Forces Act, 1920, or the Auxiliary Force Act, 1920” were substituted for the words “or a volunteer enrolled under the Volunteers Act, 1868.” Under rule 46 (8) and Schedule VII “any person who was enrolled as a member of a corps of volunteers under the Indian Volunteers Act, 1869,” is however entitled to obtain a licence in Form XVI free of licence fee. Honorary members of the Parsi Indian Territorial Force are not exempt from the operation of the Act, (Bombay, no. 1850 dated the 29th Jany. 1911).

(2) For definition of “public servant” see section 21, I. P. C.

(3) A licence granted under the Indian Explosives Act (IV of 1884), for the manufacture, possession, sale, transport, or importation of an explosive may be given the effect of a like licence granted under the Indian Arms Act, 1878 [S. 15 of the Indian Explosives Act 1884, (IV of 1884).]

(4) Any person can possess, etc., arms, etc., in course of his duty—but heads of departments are prohibited from granting permits or passes to their subordinates to carry arms not required for duty. (H. D. letter no. 1594 dated the 7th October 1895.)

(5) Lead-cutting swords imported by Native Cavalry regiments are under section 1 (b) of the Arms Act exempt from the operation of the Act. (H. D. letter no. 860-878, dated the 29th March 1897).

(6) In the District of Poona Katyars or small daggers which are used in marriage processions are excluded from the operation of the Arms Act. (Bombay notn. no. 3565, dated the 4th May 1897).



(7) There are no sufficient reasons for granting the exemption applied for in respect of Katyars, in the districts of Ratnagiri and Nasik, but the necessities of such cases can be met, if District Magistrates arrange for Chief Constables to keep a certain number of these daggers and to issue them, either gratis or on payment of a small fee, for use in marriage processions. (Bombay Resn. no. 8121, dated the 8th Novr. 1897).

(8) A sword or similar weapon used in marriage procession in Sind may be carried free of licence fee with the permission of the local Magistrate but it should be borrowed from a person holding a licence and the name of the licence-holder should be stated in the application (H. D. letter no. 1641, dated the 28th July 1899.)

(9) An overseer or a village postman, who, under instructions from his superior, carries the necessary weapon "in the course of his duty" as overseer or postman, is protected by section 1 (b) of the Act from the prohibitions of the Act, and any special exemption of these officers appears to be unnecessary. (Bombay Resn. no. 8345, dated the 11th Dec. 1904.)

(10) Explosives required by a public servant in the course of his duty as such, are, under s. 2 (b), exempt from the operation of the Act and no license is therefore necessary for their importation. (H. D. letter no. 445 dated the 7th Feb. 1908.)

(11) Arms carried or possessed by officers of Government as part of their equipment and arms supplied by Government to subordinates of Government departments to be carried or possessed by them for their protection in the execution of their duty, are not required to be licensed. Under clause (b) of section 1 of the Arms Act, nothing in the Act or rules applies to the bearing or possession of such arms by such persons. (H. D. letters no. 1246, dated the 16th October, 1919, and no. 1171, dated the 17th May, 1921). (*vide* also Schedule VII.)

(12) No licence is required for the export of arms, ammunition or military stores issued to Native States from British arsenals under the orders of Government. Each consignment however should be covered by a certificate signed by the officer in charge of the arsenal, to the effect that it is exported by order of Government under section 1 (b). (F. D. letters nos. 1816 I., dated the 2nd June 1890 and 293G., dated the 5th Feb. 1920.)

(13) The following arms shall comprise the equipment of the officers of the Army or Royal Air Force for the purpose of section.

Officers holding Commissions from  
His Majesty the King.

Officers holding Commissions from  
His Excellency the Viceroy.

1 sword	...	.....	1 sword.
2 revolvers or	{	{ Of no special pattern but one of the weapons must take Govt. ammunition of '455 bore.	1 revolver (Webley '455 bore.)
2 pistols or			
1 revolver and 1 pistol.			
1 Dirk	{	Highland Regiments only	{ 1 Kukri (Gurkha and Garhwali Regi- ment only).
1 Skeen Dhu			

(H. D. letter no. F. 21-XXX-23 dated the 15th March, 1924,  
and no. F. 21 XLVI-25 dated 23rd October, 1925.)

[NOTE.—These orders apply to persons exempted under section 1 (b) of the Act. For the purposes of clauses (3) and (4) in Schedule VII, of the Indian Arms Rules, 1924, the above description of the equipment will apply to officers who retire after the 15th March 1924. Such officers are therefore entitled to a free licence for two revolvers or two pistols or one revolver and one pistol which formed part of their equipment provided that one of these weapons takes Govt. ammunition of '455 bore. Military officers who retired after the 15th March 1924, are entitled to free licences for revolvers or automatic pistols which are proved to have formed part of their equipment when in Service, irrespective of bore. For ex-officers of the Auxiliary force, equipment has not been defined, and licensing officers before issuing free licences, need only satisfy themselves that the weapons for which exemption is claimed actually formed part of the officer's equipment. (H. D. letter no. F. 21—XXV—25, dated 28th July 1925.)]

(14) The officers of the Army or Royal Air Force holding commissions both from His Majesty the King and His Excellency the Viceroy are entitled to be in possession

sion, as part of their equipment for the purposes of section 1 (b) of the Arms Act, of two swords, one Full Dress Pattern and the other Field Service Pattern, when so required by the "Dress Regulations for the Army." (H. D. letter no. F-21-XXX-23 dated the 15th October, 1924.)

(15) The following arms shall comprise the equipment of an officer of the Royal Navy and of the Royal Indian Marine for the purposes of section 1 (b) of the Act,

- 1 sword.
- 1 rifle—303 SMLE, Mark III or III\*.
- 1 pistol—of no special pattern.

(H. D. letters no. F-21-XXX-23 dated the 23rd October 1924.)

(16) The sale of arms by the nazir of the court, in execution of a decree is a sale by a public servant in discharge of his duty and is therefore excluded from the operation of the Arms Act. It is expedient for the court ordering such sale to give notice of the sale and of the purchaser's name and address as contemplated by s. 5 of that Act to the Magistrate of the district or to the police officer in charge of the nearest police station.

WALA HIRAJI *Walad v.* HIRA PATEL

9 BOM. 518

(17) A volunteer, being a person exempted in virtue of a notification of the Government of India, is not exempted merely with reference to his duties as a volunteer to possess firearms and to use them. [NOTE.—Under the Indian Arms Rules, 1924, Volunteers are required to obtain licenses to possess their private arms. *Vide* Note (1), page 35 *ante*.]

LUKE

22 ALL 323

(18) Where a case might properly have been tried under the Arms Act or the Explosives Act, but the public prosecutor did not ask the High Court to order a retrial, the High Court cannot convict the accused under either of those two enactments without a fresh trial.

JOSEPH KANGANI

8 M. L. T. 298.

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2. This Act shall come into force on such day as the Governor-General in Council, by the notification in the *Gazette of India*, appoints.

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[NOTE.—The Act came into force on the 1st Oct. 1878. (H. D. notn. No. 1169 dated the 27th June, 1878.)]

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3. On and from that day the enactments mentioned in the first Schedule hereto annexed shall be repealed to the extent specified in the third column of the said Schedule. But all authorities and permissions given, licences and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed under any enactment hereby repealed, shall be deemed to be respectively given, granted, made, published and prescribed under this Act.

And all such authorities, permissions, licences and exemptions shall, except as otherwise provided by this Act, continue in force for the period for which they may have been given or granted, respectively, or where no such period is expressly fixed, for one year from the date on which this Act comes into force, and shall then cease to have effect.

**Interpretation clause.**

4. In this Act, unless there be something repugnant in the subject or context,—

“cannon” includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting, and serving the same :

“arms” includes firearms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms ;

“ammunition” includes also all articles specially designed for torpedo service and submarine, mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gun-flints, gun-wads, percussion caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre :

“military stores” in any section of this Act as applied to any part of British India means any military stores to which the Governor-General in Council may, from time to time, by notification in the *Gazette of India*, specially extend such section in such part, and includes also all lead, sulphur, saltpetre and other material to which the Governor-General in Council may from time to time so extend such section :

“license” means a license granted under this Act, and “licensed” means holding such license.

#### NOTES.

(1) For the definition of “arms” contained in section 4 of the Act, *substitute* the following (applicable only to Burma) :—

“arms” includes—

- (i) clasp-knives the blades of which are pointed and exceed three inches in length ;
- (ii) knives with pointed blades rigidly affixed, or capable of, being rigidly affixed to the handle, and measuring in all over 5 inches in length, which are not intended exclusively for domestic, agricultural, or industrial purposes : provided that it shall be presumed, until the contrary is proved that knives of this description are intended exclusively for such purposes ;
- (iii) knives of such other kinds as the Local Government may, by notification, prescribe ; and
- (iv) firearms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms.” (Burma Act VII of 1928).

(2) Iron droppings or pellets (bunda) are ammunition (H. D. letter no. 1633 dated 7th Oct. 1881).

(3) Giffards Carbonic Acid guns should be treated as arms requiring licences by unprivileged persons. (Bombay no. 6818 dated 13th Oct. 1884)

(4) Amorces are excluded from the operation of prohibitions and directions contained in the Act. (Bombay no. 2641 dated 13th April 1896).

(5) Ohhavi and gandasas are to be treated as arm in certain districts of Punjab (Panjab letter no. 12/1300 dated 29th Sep. 1899).

[Note :—See Schedule II appended to the Indian Arms Rules 1924 showing the places in which certain kinds of arms, ammunition and military stores are excluded from the operation of the Act.]

(6) The sights of guns and rifles should be regarded as parts of arms (H. D. letter no. 900 dated 1st May 1911).

(7) Machines for loading empty cartridge cases is ammunition (Bombay no. 898 dated 1st August 1898).

(8) The materials used for making the cartridges and also instruments to make them are ammunition (Bombay no. 1025 dated the 22nd August 1921).

(9) Humane cattle killers are not arms for the purpose of the Indian Tariff Act and notn. no. 2112 dated the 2nd June 1924, and cartridges for the same are not ammunition for the same purposes unless they are capable of being used in firearms as well as in humane cattle killers. (H. D. letter no. F. 21-XI.IV 28 dated the 4th Sep. 1928).

(10.) Appliances such as hand grenades and riot pistols for discharging gas, which are designed to render helpless for the time being a mob or an individual without causing a permanent injury, are arms within the meaning of the Act and are subject to all the prohibitions and restrictions imposed by the Act and Rules. (H. D. letter no. F. 21-L-V-28 dated the 28th Feb. 1929).

(11) The weapon described as "life preserver" or "zipo" is an arm within the meaning of section 4, and subject therefore to all prohibitions and directions contained in the Act and Rules (H. D. letter no. F. 21/XXX/30 dated the 8th May 1930 and Madras notn. no. 968 Ms. dated the 9th Aug. 1930).

(12) Toy cannon of certain descriptions are exempted from the operation of the Act, *vide* item 2 (i) of Schedule II, appended to the Indian Arms Rules, 1924.

(13) The word "includes" in sec. 4 is clearly not intended to be exhaustive.

GANGAMMA

1 WEIR 654

(14) There is no exhaustive definition in the Act of the expression arms. Where the circumstances of a case show that a weapon or instrument is carried for the purpose of offence or defence and not as an article for domestic or agricultural utility there is no reason why such weapon or instrument should not held to fall within the category of arms.

SANT SINGH

16 P. R. 1910 Cr.

RALLA SINGH

32 P. R. 1918 Cr.

MANGAL SINGH

1922 A. I. R. 1923 LAH. 138, 2 LAH. 291.

Nga Po TEIN.

L. B. R. 1893-1900, 487.

(15) The word arms except so far as the definition expressly includes other weapons must be understood to mean weapons of offence suitable for warfare. If anything in the opinion of the Court is not an arm it is immaterial whether the Govt. have or have not excluded it from the operation of the act.

NGA NE U

1 L. B. R. 1893-1900, 416

(16) The purposes for which an implement is primarily intended regulates whether it would in ordinary parlance be spoken of as an arm.

EBRAHIM DAWOODJI BABI BAWA

1905-3 L. B. R. 1

HMAT KYAN

1 L. B. R. 271

NGA PO TEIN

L. B. R. 1893-1900 487

NGA LU GALE

A. I. R. 1928. RANG 49

(17) The mere fact that the weapon is dangerous and, if used, may probably cause death, does not make it an arm within the meaning of sec 4.

GAJJA

26 I. C. 133

(18) No weapon can be held to be an arm unless it is a weapon which in ordinary parlance be spoken of as an arm and if it is not designed for use as a weapon of offence or defence, although may be used as such, then it is not an arm.

MEHRDIN

A. I. R. 1927, LAH. 162.

NGA PO TEIN

L. B. R. 1893-1900, 487

PO ME

A. I. R. 1923 RANG. 23, 11 B. L. R. 340.

(19) Neither the length, breadth or the form of the blade of a weapon, nor the handle, afford any test of its classification as arms. Whatever can be used as an instrument of attack or defence for cutting as well as for thrusting and is not an ordinary implement for domestic purpose falls within the purview of arms.

SATISH CHANDRA ROY

34 CAL. 749

RALLA SINGH

P. R. 1918 Cr. 32.

(20) Whether in a particular instance an instrument is firearm or not is a question to be determined according to the facts of each case and the circumstances that it is in an unserviceable condition is not sufficient to take it out of the category of firearm.

AZU Walad BANGAR

1 S. L. R. 18.

JAYARAM REDDI

21 MAD. 360.

(21) The word firearms only means arms that are fired by means of gunpowder or other explosives.

HARSHANATH CHATTERJI

42 CAL. 1133.

(22) Air-gun not adapted for use with explosive substances and classed as toys for the purposes of the Tariff Act, was a toy and did not come within the definition of arms,

MANUG SHWE THET

4 CR. L. J. 239, 12 Bur. L. R. 201.

[NOTE.—*Vide* item no 2 (iii) of the table of Schedule II appended to the Indian Arms Rules, 1924, which shows that air-guns, pistols and air-pistols are excluded from the operation of the Act, subject to the discretion of local Govts.—The Govt. of the Punjab has however retained the restriction in respect of the air-pistols (Notn. no. 3174 Dated the 20 July 1929) and the Govt. of Burma in respect of Diana air pistols (Notn. No. 29, dated 19 Sep. 28)]

(23) A gun rendered unserviceable by the loss of trigger does not come within the definition of arms. Possession of such a weapon without a licence is no offence under sec. 19 (f)

SIDAPPA

6 MAD. 60

(24) A broken unserviceable gun does not fall under the description of "parts of arms" within the meaning of the section.

RASOOL SAHIB

1 WEIR 658.

(25) A firearm which is defective and otherwise unserviceable is not an arm within the meaning of the Act, and consequently not one for which a licence need be taken out, even though, it might be capable of being rendered serviceable by being repaired.

KULAPPA GRAMANI

1 WEIR. 658

(26) A revolver with a brokers trigger is within the definition of arms. In such cases the question is not so much whether the particular weapon is serviceable as a firearm, but whether it has lost its specific character and has so ceased to be a firearm.

JAYARAM REDDI

21 MAD. 360

(27) The unserviceable remains of a gun could not be fairly described as a fire-arm within the meaning of s. 14, and do not require to be protected by a licence under that section.

CHAITOO GOND

12 C. P. L. R. CR. 8

(28) A gun-barrel so long as it can be used as a gun-barrel, is an arm within the definition of s. 4, because it is a part of fire-arm. But it is not a fire-arm within the meaning of s. 14, nor is it one of the other articles mentioned in the section.

BARWAR TELI

12 C. P. L. R. C. 10

(29) A pistol which is out of repairs cannot be regarded as a weapon for offence or defence.

HARPAL

24 ALL. 454

(30) An old fashioned muzzle loading gun barrel in good condition and with the touch-hole in good order is a fire-arm within the meaning of s. 14. There is nothing in s. 14 inconsistent with s. 4. Fire-arms in s. 14 includes parts of fire-arms. 12 C. P. L. R. 10 Banwar Teli, note no. (28) above, *disstd.*

DHAN SINGH

3 N. L. R. 58

(31) A revolver even if it is out of repair or is clogged from disuse is an arm and a person in possession of it without a licence is guilty of an offence under s. 19.

SAMIULLAH

6 P. R. 1908 CR.

(32) Possession of a Quackenbush rifle (which fires small cartridge charged with gunpowder in a metal casing and a miniature bullet by means of a sticker worked by a string, which is released on pulling the trigger) in the Kohat district is illegal as it falls within the general expression of "arms of the kind known as rifles" as given in rule 3 A (b) of the H. D. notification no. 3031. dated the 16th November 1900, and is consequently punishable under s. 19 (f).

HARNAM SINGH

159 P. R. 1913 CR.

(33) Bolts and bars of rifles are arms within the meaning of sec. 4. In order to fall within this section the weapon need not be in serviceable condition.

JAYARAM REDDY

21 MAD. 360

KARM DIN

A. I. R. 1923, LAH. 617

(34) Accused were convicted for having in their possession sword hilts bought from time to time at sales of old stores. They contended that sword hilts were not arms within the meaning of the Act. *Held* that the expression arms included 'parts of arms' and that the hilt being part of a sword was an arm.

NUR DIN AND NIZAM DIN

38 P. R. 1889 CR.

(35) A sword stick is a sword within the meaning of sec. 4 of the Act.

SATISH CHANDRA ROY

34 CAL. 749

(36) A sword stick is a weapon different from a Kirpan. The two expressions cannot be regarded as synonymous and so the possession of a swordstick by a Sikh is not exempted by sec. 27 of the Act.

RANDEHR SINGH

A. I. R. 1928 LAH. 239.

(37) A Sikh possessing or wearing one sword commits no offence under s. 19 by virtue of the exemption under schedule (3) (b) of the Rules under the Act.

HARI SINGH

A. I. R. 1924 LAH. 600

(38) A battle axe is an arm.

GANGAMMA

1 WEIR 654

(39) Chhavi may be arms within the meaning of the Arms Act, and that as the word arms in s. 4 of the Act includes parts of arms the possession of a chhavi-head may amount to possession of arms.

KESAR SINGH

20 P. R. 1890 CR.

SANTA SINGH

16 P. R. 1900 CR.

(40) Every thing is chhavi which has a large axe-like blade curved or otherwise with an arrangement of ring or rings for binding it to the handle, and a handle of considerable length. The question of exclusive possession of an arm cannot be raised for the first time in appeal.

GAHNA

13 P. L. R. 1914 CR.

JINDA

10 P. L. R. 1916 CR.

(41) The question whether a sword carried by the accused is a Kirpan and therefore exempt from the Act under a Punjab Govt. notification depends on the circumstances of the case. The burden is upon the accused to prove that lethal weapon carried by him was a Kirpan within the meaning of the exemption. A sword 31 inches long with a blade length of 22 inches in a simple scabbard was held not to be proved a Kirpan.

BACHITTAR SINGH

A. I. R. 1922 LAH. 141

HARI SINGH

A. I. R. 1924, LAH. 600

(42) The exemption only applies to Kirpans actually in existence and possessed or carried by Sikhs and not to the manufacture of Kirpans by Sikhs. A Sikh is not prevented by provision in the Arms Act, from dealing with Kirpans which he possesses any way he likes, but he is not exempted by the entry in schedule II from the operation of the prohibition as to manufacture contained in section 5 of the Act.

BASTA SINGH

A. I. R. 1923, LAH. 267, 3 LAH. 437.

(43) Appellant was found carrying a bamboo *dang* 5 ft. 7 inches long, which had an iron attachment at the thick end and hidden in the fold of his loin cloth was a blade 8 inches long which fitted the end of the dang. *Held*, that taking into consideration the nature of the instrument the fact that the blade could be readily slipped

on and off the stick and the fact that it was found detached from the stick and hidden in the appellant's loin cloth showed that it was possessed by him not for ordinary domestic purposes but for purposes of offence and defence and that it was included in the term arms used in the Act.

MANGAL SINGH

A. I. R. 1923, LAH. 138, 2 LAH. 133

Carrying a sword or Kipan, 9 inches in length, is an offence under sec. 62 of the Cal. Police Act—(Bengal Act IV of 1863).

KIRPAL SINGH

A. I. R. 1924, CAL. 231

(44) An instrument consisting of two separate pieces, namely, a *lathi*, 6' 3" long, at one end of which a hollow screw and an axe like blade, 5" by 4½" having a screw to allow of its being fixed into the long *lathi* was held to an arm within the meaning of sec. 19 (f), as no instrument like that is ever used for domestic or agricultural purposes.

PURAN SINGH

A. I. R. 1928, LAH. 295.

(45) *Daks* of the kind described in notification No. 827, dated the 1<sup>st</sup> June 1893 (vide entry 9 (a) (v) of Schedule II) as excluded from the operation of the Act, are not arms within the meaning of the Act and it is therefore unnecessary to exclude them from the operation of the Act.

NGA NE U.

L. B. R. 1893-1900, 416.

(46) The meaning of *Dahmyaung* in the Burmese translation of the Arms Act must be limited to the meaning of dagger.

NGA TUM BAU

L. B. R. 1898-1900, 320.

(47) *Dalwes*, spears and forks do not come within the definition of military stores in s. 4 and the mere possession of such weapon is not a punishable offence in Burma under s. 19 of the Act. But going armed with swords or spears without a licence is punishable under s. 13.

NGA PO TEIN

U. B. R. 1892-1896, VOL. 1, 1

(48) The accused imported certain knives described as hunting knives and kept with him. One edge was sharp up to the guard, the other only at the point. The knife could be used for stabbing and thrusting. *Held*, that the instrument fell within the category of arm. [In a case *Narain Singh*—reported in the "Leader" of Allahabad of the 10th June 1925, The High Court, Allahabad, held that an instrument which was a folding knife of a large size could not in common parlance be described as dagger. The primary use of a dagger was to stab whereas the instrument seems to have been designed for ordinary use].

BISHAN SINGH

A. I. R. 1924, CAL. 714, 51 CAL. 573.

(49) A clasp knife does not fall within the ordinary meaning of the word arm.

HMYAT KYAN

1 L. B. R. 271.

(50) A clasp knife is not a dagger and is not designed or suitable for warfare. Therefore it does not come within the definition of arms.

NGA PO TEIN

L. B. R. 1893-1900, 487.

(51) A clasp knife which has a blade 5½ inches long with a pointed end and is fitted to a long handle and turns over into the handle falls within the meaning of the word arms.

NGA LU GULE

A. I. R. 1928, RANG. 49.

(52) Though the exhibit knives were stout and formidable ones, they could not from their appearance be said to have been primarily manufactured with the intention of using them for offence or defence. They are useful for domestic use or for cutting stocks.

ME THIN

7 BUR. L. T. 165.

(53) Dagger shaped knives known as clasp knives fall within the definition of arms.

EBRAHIM DOWOODJI BABI BAWA

11 BUR. L. R. 183,

(54) A cook's knife is not an arm. The accused's conduct in manufacturing a sheath for the knife, to enable him to conveniently carry it about with him, does not convert it into an arm, unless the character of the knife is altered (e. g.) by grinding it so as to make it double edged.

AUNG BA

5 L. B. R. 130.

(55) A table knife however carried or intended to be used is not an arm,

NGA KYA NYO

9 BUR, 207.

(56) A *dashe-upyat* of the usual type is primarily intended for domestic or agricultural purposes and is not an arm within the meaning of the Act.

HAMYIT

5 B. L. R. 207, 3 BUR. L. T. 91.

(57) The true criterion is not whether any given *dak* is an "*U pyat*" but what was the intention of the maker as regards its purposes.

PO ME

A. I. R. 1923, RANG. 93, 11 L. B. R. 340.

(58) Axe or knife does not become arm within s. 4 by merely using it for offending or defending on particular occasion.

MEHR DIN

A. I. R. 1927, LAH. 162.

(59) If Lee Metford bullets were capable or fit for use they are "parts" of ammunition.

CHETA

ALL. REVN. No. 517 OF SEP. 1917.

(60) Empty cartridge cases of which the caps have been exploded do not come under the definition of ammunition in the Act. An instrument for repairing cartridge cases of the Martini Henry rifle is not machinery for manufacturing ammunition within the meaning of the Act.

JAMAN KHAN

20 P. R. 1900 CR.

(61) Empty cartridge cases in which the caps have been exploded come within the definition of ammunition.

EBRAHIM ALIBHOY

7 BOM, L. R. 474

BALDEO SINGH

32 ALL, 182

RANGASWAMI AIYAR

4 I. C. 405

ALADIN

A. I. R. 1924, ALL. 215, 46 ALL. 49

(62) To support a conviction for possessing empty cartridges it should be proved that the cartridges can be reloaded in India and used as ammunition by persons with whom they are found. If this is not found the cartridges are not ammunition and so no prosecution can be made on them.

AMIR

A. I. R. 1925, ALL. 496, 47 ALL. 629

KALLU

A. I. R. 1926, ALL. 255

(63) The rockets referred to in s. 4 under the definition of ammunition are war rockets.

SUPPI

5 MAD. 159

(64) A person in possession of a quantity of gunpowder without licence is liable to conviction under s. 19 although he may intend to employ the powder in the manufacture of fireworks or other harmless purposes, inasmuch as gunpowder is a material capable of being used for purposes of warfare.

KASIM SAHIB

8 MAD. 202

(65) *Patakas* which are small packets, wrapped in a paper, of chlorate-potash mixed with small pieces of *kankar*, and which explode with a slight report when thrown with force against a wall or other hard surface, are not fireworks within the Explosives Act, and so no licence is necessary for the manufacture or sale of *Patakas*.

BANSIDHAR

8 P. R. 1910 CR., 9 P. W. R. 1910 CR.

(66) Accused was convicted under s. 5 for the manufacture, possession and sale of explosive in Burma, for possessing explosive without a licence. *Held*, that licences under these rules are not required for the possession of explosives of this nature. But cartridges and detonators are ammunition as defined in s. 4 and the accused might properly have been convicted under s. 19 (f) of the Act.

NGA YE U

L. B. R. 1897-1910 VOL. 1., 139



(67) Although lead is exempt from the operation of s. 4, yet if it is moulded into bullets of 20 to 24 bore, it is a ammunition within the meaning of the said section. In a case of technical offence a nominal sentence is always quite sufficient to meet the ends of justice.

SANT SINGH

16 P. R. 1910 Cr.

(68) *Lathis* are arms within the meaning of sec. 106, Cr. P. C.

SARJUG LAL

35 I. C. 489

## II—Manufacture, Conversion and Sale.

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a licence and in the manner and to the extent permitted thereby.

Unlicensed manufacture, conversion and sale prohibited.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time-being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer-in-charge of the nearest police-station, notice of the sale and of the purchaser's name and address.

## NOTES.

(1) If an officer or soldier wishes to dispose of any arms or ammunition either by private sale or by public auction, he should ascertain that the would-be purchaser is a person entitled by law to possess the same and if such person's name does not appear in the official Army or Civil List he should apply to the Magistrate or Deputy Commissioner of the District or the Local Political Officer, as the case may be, for permission for the transaction to take place. (I. A. R. 12 of 3rd Jan. 1910).

These orders were extended to Civil Officers by H. D. no. 902 dated the 20th Feb. and no. 6815 dated the 13th Dec. 1901, and U. P. G. O. nos. 1115 dated the 15th April and 1751 dated the 1st June 1901.)

(2) All arms and ammunition and articles of this nature found among unclaimed property in the possession of Railway Companies should be sent to the nearest Magistrate for sale on the understanding that the sale proceeds will be made over to the railway authorities. (Ry. D. letter no. 2106 R. T. dated the 3rd Dec. 1908).

(3) The manufacture of cartridges for their own use by holders of licences to possess and carry arms does not require a separate licence to manufacture. (Bombay no. 1025 dated the 22nd Aug. 1921).

(4) The sale of arms, ammunition or military stores is prohibited except under a licence and in the manner and to the extent permitted thereby. The only exception allowed is the sale of arms or ammunition possessed by a person for his private use, which is permitted subject to the observance of certain conditions specified in the second part of the section. This exception would not cover the case of an agent to whom arms are made over for sale or commission. Sale by an agent in such circumstances would be illegal except under a licence. (Burma A. M. Ed. 1926, page 138, para. 19.)

(5) When a person who repairs arms, is also a maker of arms, it is necessary, under the existing law, that he should provide himself with a licence in the latter capacity, so that the present question practically affects persons in the position of ordinary blacksmiths or others who may have arms in their temporary keeping for purposes of repair. In regard to these classes of persons, the Governor-General in Council is decidedly of opinion that it formed no part of the intention of the Arms Act to require licences to be taken out, and His Excellency in Council accordingly directs that in future no licences shall be required merely for carrying on the

business of repairing arms, (H. D. resn. no. 69-2039-50 dated the 15th Dec. 1881.) Those repairers of arms, however, who stock spare part of arms are required to take out licences for the possession of those spare parts in one or both of forms IX or XI or forms X and XII (H. D. no. F-21-XIII-26 dated the 2nd Aug. 1926.)

(6) The manufacture or possession of fireworks including rockets which are mere fireworks, does not come within the prohibition of s. 5. The rockets referred to in s. 4 under the definition of ammunition are war-rockets.

SUPPI

5 MAD. 159.

(7). *Vide* HIRAJI Walad HIRA PATEL, 9 BOM. 518—Note no. (16) under sec. 1, page 37, *ante*.

(8) A person having obtained a licence for match-lock had the same converted into a percussion gun. He was convicted under s. 19 on the ground that the licence did not permit him to keep a percussion gun. *Held* that the accused could not be convicted under that section.

BODAPPA

10 MAD. 31

(9) There is nothing in the Act or Rules which renders a sale of sulphur and ammunition by agent of a licence-holder illegal.

SITHARAMMAYA

12 MAD. 473

(10) The temporary possession of a gun by a servant who carries it from his master's house to the blacksmith for repair and by the blacksmith for the purpose of repair without a licence is not punishable under sec. 19.

TOTA RAM

16 ALL. 276, 1894 A. W. N. 82

(11) The repairing of arms is not manufacture within the meaning of ss. 5 and 19 (a)

YAGANTIAH

1 WEIR 653.

(12) The manufacturer of the dagger shaped knives (known as clasp knives) before the Court, intended to supply weapons to persons who wanted efficient stabbing instruments. They could not be likely to serve any domestic purpose and therefore fell within the definition of arms. [*Vide* note (16) under sec. 4, p. 39, *ante*].

EBRAHIM DAWOODJI BABI BAWA.

3 L. B. R. I. 11 BUR. L. R. 183

(13) A person who repairs arms and is in possession of guns made over to him for repairs cannot be convicted of being in possession of arms without licence.

MURLI

A. I. R. 1929, ALL. 720

(14) The mere possession or sale of fireworks, without a licence is no offence under the Arms Act.

BOYINAPALLI VENKATARAJU

1 WEIR 655

(15) Where the accused who had a licence under the Explosives Act to manufacture and sell gun-powder and fireworks on certain premises, manufactured fireworks at a different place, *held* that the accused could not be convicted under the Arms Act.

RAMASWAMI PILLAI

1 WEIR 656

### III—Import, Export and Transport.

6. No person shall bring or take by sea or by land into or out of British India any arms, ammunition or military stores except under a licence and in the manner and to the extent permitted by such licence.

Unlicensed importation, and exportation prohibited.

Nothing in the first clause of this section extends to arms other than cannon or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition; but the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or in virtue of his office

Importation and exportation of arms and ammunition for private use.

may at any time detain such arms or ammunition until he receives the orders of the Local Government thereon.

*Explanation.*—Arms, ammunition and military stores taken from one part of British India, to another by sea or across intervening territory not being part of British India, are taken out of and brought into British India, within the meaning of this section.

#### NOTES.

(1) Any person "lawfully entitled to possess arms" can import into British India or take out of the country with him or send out any arms of ammunition, without any special licence, provided these are of reasonable quantity, are for their personal use and their possession is covered either by a licence or by exemption. The words "lawfully entitled to possess" apply to persons licensed according to law to possess arms, as well as to persons exempted from the operation of sections 13 and 14 of the Act. (H. D. no. 1852, dated the 14th Dec. 1880).

(2) The exemption in clause 2 of section 6 cover only the export of arms and ammunition by a privileged person for his own personal use, not the export of arms and ammunition by other people for the use of a privileged person. (F. D. letter no. 1327-I, dated the 23rd March 1891.)

(3) When arms and ammunition are simultaneously imported a licence under the Arms Act is necessary for the import of arms and another, under the Explosives Act, for the import of ammunition, irrespective of the question whether a licence under the Arms Act has been obtained or not. (H. D. no. 4638, dated the 6th August 1901.)

(4) All articles of the foreign parcel mail imported into India and declared or suspected to contain arms and ammunition are scrutinised by the Customs authorities. Such articles as are found to have been imported in contravention of the terms of notification no. 2112, dated the 2nd June 1924, are detained by the Customs authorities and dealt with in accordance with the provision of section 167 (8) of the Sea Customs Act, 1878 (VIII of 1878), any arms that are confiscated under this section being disposed of in accordance with the rules in force for the disposal of confiscated weapons. Parcels which on scrutiny by the Customs authorities are passed by them are handed over to the post-office for delivery to the consignees. Inward foreign articles of the *letter* mail found to contain arms and ammunition are forwarded by the post-office of delivery to the chief port of the Presidency or province nearest to that office to be there made over to the Customs authorities who then deal with them in the manner above prescribed for the treatment of parcels. The foregoing instructions do not restrict in any degree the discretionary powers exercised by the Customs authorities under the existing provisions of the law. (C. and I. no. 523-527-17, dated 24th January 1911).

The transmission of arms and ammunition in foreign postal articles forwarded by other postal administrations in open transit (*a decouvert*), though the India Post-Office, is prohibited. Articles of this class should be returned to the country of origin. Transit-articles of the foreign mail, the contents of which although falling under the head of "arms and ammunition" as defined in the Indian Arms Act are in themselves quite harmless, may, however, at the discretion of Postmaster-General be transmitted to their destinations. (C and I. no. 8072 8074-55, dated 29th Sept. 1913.)

(5) Under s. 19 of the Sea Customs Act, 1878 (VIII of 1878) and in supersession of the notn. of the Dept. of C. and I., no. 5377 dated the 26th July 1919, the Govt. of India has prohibited:—

(1) the bringing by sea or by land into British India through the medium of the Post Office, of arms, ammunition or military stores as defined in the Indian Arms Act, 1878 (XI of 1878).

Provided that this prohibition shall not apply to the bringing of arms, ammunition or military stores into British India—

(a) from Berar, or

(b) by or on behalf of Government;

(2) the bringing or taking by sea or land into or out of British India of arms, ammunition or military stores, as defined in the Indian Arms Act (XI of 1878), save

in accordance with the provisions of that Act and of the rules and orders for the time-being in force thereunder. (C. and I. Dept. no. 2112 dated the 2nd June 1924).

(6) The procedure for the exporation of arms, ammunition and military stores required for the Governments of Afghanistan and Nepal are laid down in the letters of the Govt. of India, 1287/Fr., dated the 5th December 1922. and Govt. of Bengal, no. 2564 dated the 10th July 1925, which are reproduced as notes to rule 19 of the Indian Arms Rules, 1924.

(7) The following officers are empowered to detain arms and ammunition under this section—

BOMBAY.—Political Resident at Aden. (Notn. no. 3467, dated the 16th June 1879.)

BENGAL—All Magistrates and police officers not below the grade of sub-inspector (Bengal L. R. and O., para. 83).

UNITED PROVINCES—Any Magistrate, Justice of the Peace, Superintendent, Assistant or Deputy Superintendent of Police and any police officer being not lower in rank than an officer in charge of a police station (G. O. no. 229½ dated the 27th Feb. 1879).

PUNJAB.—All Magistrates and Police-officers not below the rank of officer in-charge of a station. (Notn. no. 8408 dated the 5th March 1929).

CENTRAL PROVINCES—All Magistrates and all officers of the police not below the rank of Assistant District Superintendent of Police. (Notn. no. 2595 (a) dated the 18th June 1879.)

ASSAM—All Magistrates and all police officers not below the rank of Inspectors. (Notn. no. 2443 J. dated the 12th June 1914.)

N. W. F. PROVINCE.—All Magistrates and all police officers not below the rank of officer in charge of a station. [Notn. no. 7103 G. dated the 2nd May 1922.]

(7) A person lawfully entitled to possess arms and ammunition signing the prescribed certificate of purchase of the same in the name of another with an address not his own and thereby deceiving the gunsmith and the Government and defeating the object of the certificate, commits forgery: his act having been done fraudulently if not dishonestly.

CAUSLEY

43 CAL. 421.

(9) Where the accused who was the servant of some lady in the Nepal State was proved to have brought the gun to British India for the purpose of having it repaired and he had no licence, under the Indian Arms Act, *held*, that he was guilty of an offence under s. 19 (c) but that it was sufficient to impose a sentence of fine.

ORI

A. I. R. 1929, Oudh 157.

7. [*Levy of duties on arms, etc., imported by sea*] *Repealed by the Repealing and Amending Act 1891 (XII of 1891).*

8. [*Power to impose duty on imports by land.*] *Repealed by the Repealing and Amending Act 1891, (XII of 1891).*

9. Notwithstanding anything contained in the Sea Customs Act, 1878, no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the local Government.

Sanction of Local Government required to warehousing of arms etc.

[NOTE.—The warehouse at Moyapur is declared to be a warehouse for the deposit of ammunition under this section. The premises of any licensed dealer in arms in Calcutta licensed also as a private warehouse under section 16 of the Sea Customs Act, 1878, and approved of in writing by the Commissioner of Police, may be used as a place for the deposit of arms under this section. (Bengal notn. dated 24th March 1879.)]

10. The Governor-General in Council may, from time to time, by notification in the *Gazette of India*,—  
(a) regulate or prohibit the transport of any description of arms, ammunition or military transport.

Power to prohibit transport.

stores over the whole of British India or any part thereof, either altogether or except under a licence and to the extent and in the manner permitted by such licence, and

(b) cancel any such notification.

*Explanation.* Arms, ammunition or military stores transhipped at a port in British India are transported within the meaning of this section.

(1) In order to avoid the possibility of transport licence being used more than once, the time for which such licences are valid should invariably be entered in the proper column of the licence. The time allowed, specially in the case of arms ammunition or military stores licensed or transported through any part of British India to the frontier, should be carefully restricted to such period as may be considered reasonable. (H. D. no. 44—1737, dated the 23rd Sept. 1879).

(2) In the transmission of arms, ammunition and military stores from one British district to another through foreign territory, the procedure prescribed is that both an export and import licence, in the regular form should be taken out—the export licence for the transmission of the consignment to foreign territory, and the import licence to cover its re-conveyance into British territory. Whenever such a case may arise a copy of the original licence for export should be communicated to the Magistrate of the place to which the consignment is ultimately destined. (For. no. 2864-I dated the 29th June 1887).

(3) Although the word “transport” as used in the Indian Arms Act, would in a certain sense, include every movement from place to place, yet the Government of India consider that looking to the general objects of the Act, and the difficulties which might result from construing the words in its widest sense it is reasonable to attach to it a more restricted meaning, which it would not, perhaps be easy to define precisely, but which would certainly not include such movement as the removal of arms from a warehouse to a shop in the same town or the landing of arms imported. Under such restricted interpretation of the term no licence is required for the removal of ammunition from one magazine and warehouse to another in the same locality. (H. D. no. 88-2955, dated the 9th Nov. 1888).

(4) The Advocate General, Bengal, holds that, in the case in question, the offence of transporting arms without the requisite licence was complete, inasmuch as the arms had been removed or transported from the gunshop to the Railway station at Purbasera: a conviction under section 19 (d) of the Arms Act, as it stands, would therefore have been possible, if the accused had been charged with the substantive offence punishable under that section. (H. D. no. 3007, dated the 9th Nov. 1921).

11. The Local Government, with the previous sanction of the Governor General in Council, may at any places along the boundary-line between British India and foreign territory and at such distance within such line as it deems expedient, establish searching-posts at which all vessels, carts and baggage animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by such Government in this behalf by name or in virtue of his office.

[NOTE.—Conveyances and baggage belonging to passengers are liable to be stopped and searched at Sayer stations for arms, ammunition and military stores. In carrying out this duty the notification of exemption and the rules under the arms Act, so far as they relate to the transit of arms, ammunition and military stores should be followed by the officers of the Land Customs stations. (Madras L. R. and O.)]

12. When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

**Arrest of persons conveying arms, etc., under suspicious circumstances.** Any person so apprehended and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police-officer, shall be delivered over as soon as possible to a Police-officer.

**Procedure where arrest made by person not a Magistrate or Police-officer.** All persons apprehended by, or delivered to, a Police-officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

#### IV.—*Going armed and possessing arms, etc.*

13. No person shall go armed with any arms except under a licence and to the extent and in the manner permitted thereby.

Any person so going armed without a licence or in contravention of its provisions may be disarmed by any Magistrate, Police-officer or other person empowered by the local Government in this behalf by name or by virtue of his office,

[*Note*.—For the purposes of this section, arms includes also knives with pointed blades rigidly affixed, or capable of being rigidly affixed, to the handle, and measuring in all over 5 inches in length, which are intended exclusively for domestic, agricultural or industrial purposes. (Burma Act VII of 1928).]

#### NOTES.

(1) The following officers are empowered to disarm persons under this section.

**MADRAS**—All Magistrates, Police-officers and *adigaris* in the Malabar district. (G. O. no. 457, dated the 5th December 1895.)

**BOMBAY**—The undermentioned officers of the Forest Department in the Northern Division, Southern Division and the Sind;—

Conservators, Deputy Conservators, Assistant Conservators, Extra Assistant Conservators, Rangers, Foresters, Forest Guards,

and Salt Inspectors in Sind in virtue of their office; Officers, sepoy, and peons of Salt Department employed on the Goa and on the Northern Frontiers. (Notns. no. 6714 dated the 7th Novr. 1879, no. 9355 dated the 29th Novr. 1892, no. 3049-A dated the 8th June 1889, no. 410 dated the 19th Jany. 1895 and no. 4082, dated the 11th Augt. 1905.)

**UNITED PROVINCES**.—The Conservator of Forests, all Deputy and Extra Deputy Conservators, Assistant Conservators, and Extra Assistant Conservators (including probationers). Patwaris in Jaunsar-Bawar have similar powers. (Notn. no. 3451-VI-883 dated the 4th Sept. 1913 and para. 76 of U. P. Rules.)

**BURMA**.—All headmen and rural police-men appointed under s. 5 of the Burma Village Act, 1907. (Notn. no. 112 dated the 5th Aug. 1909.)

**CENTRAL PROVINCES**.—All Forest officers not below the rank of Assistant Conservators and all Revenue officers not below the rank of Naib-Tashilder. (Notn. no. 2595 (a), dated the 18th June 1879 and para. 3 of C. P. Rules, page 184.)

(2) Holder of a licence to kill wild beasts not bound to take out a licence if he uses his gun for shooting purposes.

BOMAYA CHETTY

5 MAD. 26

(3) Section 13 prohibits a person from "going armed" except under a licence but the licensee is not bound to take his licence with him whenever he goes armed.

KORAGA

1 WEIR 662

KISHUNWA

20 CAL. 444

(4) Where a licence to go armed is granted for protection only, the licensee cannot use it for sport or display.

VENKATARAYADU

1 WEIR 663

(5) A person who appears in public place or issues from his own property or abode, having about his person, a weapon of the sort described in s. 4 and not covered by a licence goes armed within the meaning of s. 13. The phrase going armed is not to be restricted to the meaning carrying or bearing arms in the manner usual for the particular weapon in view.

NGA SHWE TON

A. I. R. 1927, RANG. 32, L. B. R. 1893-1900, 284

(6) The accused was found in another man's house wearing a dagger. He did not allege that the dagger was not his or that he had not brought it to the house. On the contrary he specified the purpose for which the dagger was used. *Held*, that in the above circumstances the accused has committed the offence of going armed with a dagger in contravention of s. 13.

NGA THA BAUNG

U. B. R. 1897-1901 VOL. I, 4

(7) *Vide* NGA PO TEIN, U. B. R. 1892 1896, VOL. 1, 1, NOTE (47) to sec. 4, page 42, *ante*.

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14. No person shall have in his possession or under his control  
 any cannon or firearms or any ammunition or  
 Unlicensed possession of firearms, etc. military stores, except under a licence and in  
 the manner and to the extent permitted thereby.

*(Temporary provisions) Repealed by the Repealing and  
 Amending Act, 1891 (XII of 1891.)*

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(1) *Vide* CHAITOO GOND, 12 C. P. L. R. CR. 8,—note (27) under s. 4, page 40, *ante*.

(2) A gun barrel so long as it can be used as a gun barrel is an arm within the meaning of sec. 4, because it is a part of firearm. But it is not a firearm within the meaning of sec. 14, nor it is one of the articles mentioned in the section.

BARWAR TELI

12 C. P. L. R. CR. 10

(3) Firearms in this section include parts of firearms.

DHAN SINGH

3 N. L. R. 53

(4) Where a person kept a gun for some time and made it over to another to keep for him he cannot be convicted under sec. 19 (f). The only person who can be punished under s. 13, cl. (f) is the person who has in his possession or under his control any arm in contravention of secs. 14 and 19.

AKHIL NATH DUTT

15 C. W. N. 440

(5) *Vide* PRABHAT CHANDRA CHAUDHURI,—35 CAL. 219,—note under sec. 19 (f).

(6) There is no provision in this section requiring a person to deposit a spear. If there is no other basis of conviction it is illegal.

CHAGANIPATE CHINO BASAVAPPA

291, I. C. 544

(7) Possession of parts of firearms is prohibited by this section read with s. 4.

HARSHA NATH CHATTERJEE

42 CAL. 1153, 19 C. W. N. 706

(8) The offence of going armed with firearms is considerably more narrow than the offence of being in possession merely of firearms. The expression "going

armed" clearly indicates two things, namely, first an intention to use it as a firearm and, secondly, the possibility of using it.

SONAI MATHU AMBALAM

A. I. R. 1925, MAD. 585

(9) Where proceedings are instituted against any person for secret possession of arms in contravention of ss. 14 and 15, the accused should be discharged under s. 20 if the intention to conceal the possession is not made out. Offences created by s. 20 are distinct from those under s. 19.

NGA PO CHIN

8 B. L. R. 452

(10) *Vide* NGA PO TEIN,—U. B. R. 1892-1898, VOL. 1, 1,—note (47) under s. 4, page 42, *ante*.

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15. In any place to which section 32, clause 2, of Act No. XXXI of 1860, applies at the time this Act comes into force or to which the local Government, with the previous sanction of the Governor-General in Council, may, by notification in the local official Gazette, specially extend this section, no person shall have in his possession any arms of any description, except under a licence and in the manner and to the extent permitted thereby.

**Possession of arms of any description without licence prohibited in certain places.**

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#### NOTES.

(1) Section 32, Clause 2 of Act XXXI of 1860—In every such Province, District, or place as well as in any Province, District or place in which an order for a general search for arms has been issued and is still in operation under Act XXVIII of 1857, it shall not be lawful for any person to have in his possession any arms of the description mentioned in section VI of this Act, or any percussion caps, sulphur, gunpowder, or other ammunition without a licence.

(2) This section does not apply to Burma as section 32, clause (2) of Act XXXI of 1860 did not apply to Lower Burma on the 1st Oct. 1878.

(3) Act XXXI of 1860 was repealed by this Act (XI of 1873).

(4) Section 15 has been extended to the following places—

IN MADRAS. The Malabar district.—(2) It is therefore hereby notified, that within the limits of the said district, no person who is not specified or described in Schedule I of the Indian Arms Rules, 1920, as exempted shall, from the date of this notification have in his possession any arms of any description except under a licence and in the manner and to the extent permitted by it. (Notn. no. 222 dated the 14th Sep. 1922).

Calicut, Ernad, Walavanad, Ponnani. (G. O. No. 355, dated the 6th Feb. 1885 and no. 260, dated the 30th June 1815.)

BOMBAY.—Aden.—(Notn. no. 3467 dated the 16th June 1897).

The following notn. no. 1112 dated the 19th Feb. 1878, is republished with the additions attached to it by Govt. resn. no. 4378, dated the 13th August 1890.

It is hereby notified, that the provisions of Act XXXI of 1860 (relating to the manufacture, importation and sale of arms and ammunition and for regulation of the right to keep and use the same, and to give the power of disarming in certain cases) as modified by Act VI of 1866, are in force in the following places, districts and portions of districts :—

Town and Island of Bombay, Districts of Ratnagiri, Poona, Ahmednagar, Satara, Belgaum, Dharwar.

District of Sholapur, :—(a) Pandharpur, (b) Sangola, talukas only.

District of Bijapur (lately Kaladgi) :—(a) Bijapur, (b) Bagalkot, (c) Badami, (d) Hungund, talukas only.



District of Kanara:—(a) Supa, (b) Yellapur, (c) Karwar, (d) Sirsi, (e) Siddapur, talukas only.

District of Nasik:—(a) Nasik, (b) Igatpuri, (c) Dindori, (d) Suinar, (e) Niphad, (f) Yeola, (g) Chandor, talukas only.

(5) The provisions of Act XXXI of 1860, as modified by Act VI of 1866, are, with the exception of the several clauses of section 32, which apply to the disarmament of any districts, in force in the following districts and portions of districts:—

The Province of Sind., *viz*—the districts of Karachi, Hyderabad and Shikarpur, Thar and Parkar and the Upper Sind Frontier.

Districts of Ahmedabad—Surat, Broach, Kaira, Panch Mahals, Thana, Kolaba.

District of Nasik—(a) Malegaon, (b) Nandgaon, (c) Baglan, (d) Kalvan, (e) Peint talukas only.

District of Kanara—(a) Kumta, (b) Konavar, talukas only.

District of Kaladgi—(a) Indi, (b) Sindgi, (c) Muddabahal, (d) Bagevadi, talukas only.

District of Sholapur—(a) Sholapur, (b) Barsi, (c) Madha, (d) Karmala, talukas only.

(Notn. no. 391, dated the 18th Jan. 1893 and Notn. no. 8225, dated the 12th Dec. 1898).

**BENGAL.**—Section 15 of the Act is extended to all districts in Bengal and with effect from the 9th March 1923, no person of these districts shall have in his possession any arms of any description except under a licence and in the manner and to the extent permitted thereby. (Notns. no. 787 dated the 9th March 1923 and no. 1121 dated the 31st March 1923).

*N. B.* This notification under section 15 does not in itself supersede any exemption under section 27 of the Act in force at the time. Exemptions in force remain in force; possession of arms becomes unlawful if the arms are among those notified under column 3 of schedule II or among the exceptions noted in column 2 of schedule II of the Indian Arms Rules, 1924. (Bengal no. 1838—1866 dated the 15th May 1922 and para. 24A of L. R. and O.)

**PUNJAB.**—Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan. (Notn. no. 1635 of the 16th Nov. 1900.) See also the list of villages printed at the end of the Indian Arms Rules, 1924, and referred to in Schedule IV., clause (7) (b). (Notn. no. 2460 dated the 3rd July 1879.)

(6) The possession of a sword or dagger in a place to which s. 15 has not been extended is no offence.

**FAKIR AHMED.**

1 WEIR 666

(7) A person having a sword without a licence in a district which is disarmed, but not going armed with it, is no offence under the Act.

**KUNJA ASARI.**

1 WEIR 666

(8) The possession of a bayonet without a licence is not an offence under the Act, except in the district to which s. 15 has been extended.

**NGA SHWE HLA.**

L. B. R. 1872-1892-426

(9) CL. 2. s. 32 of Act XXXI of 1860, relating to the manufacture, importation and sale of arms, did not apply to the Badami Taluka of the Kaladgi Collectorate at the time when the Indian Arms Act, XI. of 1878, came into force; and the notification of the Government of Bombay, No. 1112 of the 19th Feb. 1878, which declared that the provisions of Act XXXI of 1860, as modified by Act VI of 1866, are in force in Badami amongst other places, is not an order of disarmament under clause (1) s. 32 of Act XXXI of 1860. In the absence therefore, of a notification under section 15 of Act XI of 1878, extending, with the previous sanction of the Governor-General in Council, the provisions of the section to Badami, the possession of arms without a licence in that taluka is not punishable under s. 19.

**DODYAMA BASAPPA**

9 BOM. 478

(10) The knowledge of the existence of firearms found in a hut on search should not, without further evidence be imputed to any other than the occupier of the hut nor would that presumption operate even against him if it could be proved that it was possible that the same might be there without his knowledge.

ROMESH CHANDRA

41 CAL. 35

(11) *Vide* AKHIL NATH DATT,—15 C. W. N. 440,—note (4) under s. 14, page 50.

(12) *Vide* NGA PO CHIN,—8, B. L. R., 452,—note (9) under s. 14, page 51.

16. (1) Any person possessing arms, ammunition or military stores the possession whereof has, in consequence of the cancellation or expiry of a licence or of an exemption or by the issue of a notification under section 15 or otherwise, become unlawful, shall without unnecessary delay deposit the same either with the officer-in-charge of the nearest police-station or, at his option and subject to such conditions as the Local Government may by rule prescribe, with a licensed dealer.

In certain cases arms to be deposited at police stations or with licensed dealers.

(2) When arms, ammunition or military stores have been deposited under sub-section (1) or, before the first day of January, 1920, under the provision of any law for the time being in force, the depositor shall, at any time before the expiry of such period as the Local Government may by rule prescribe, be entitled—

(a) to receive back anything so deposited the possession of which by him has become lawful, and

(b) to dispose, or authorize the disposal, of anything so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale:

Provided that nothing in this sub-section shall be deemed to authorize the return or disposal of anything the confiscation of which has been directed under section 24.

(3) All things deposited as aforesaid and not returned or disposed of under sub-section (2) within the prescribed period therein referred to shall be forfeited to His Majesty.

(4) (a) The Local Government may make rules consistent with this Act for carrying into effect the provisions of this section.

(b) In particular and without prejudice to the generality of the foregoing provisions, the Local Government may by rule prescribe—

(i) the conditions subject to which arms, ammunition and military stores may be deposited with a licensed dealer, and

(ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).

(1) Statement of objects and reasons dated the 1st Sept. 1919, leading to the Amending Act XX of 1919, by which the present section 16 was substituted.

The changes in the administration of the Indian Arms Act, 1878 (XI of 1878), which were announced in the Government of India (Home Department) Resolution no. 2125-C, dated the 21st March 1919, (printed on page 1, *ante*) are to come into force on the 1st January 1920. One of the changes is a curtailment of the list of exempted persons; and there are probably a number of persons now in lawful possession of arms

and ammunition, of which the possession by them will become unlawful by reason of that curtailment. It is necessary to arrange for the disposal of such arms and ammunition, and the present provisions of the Act are not sufficient for the purpose. The bill has been framed to provide for the safe custody of such arms and ammunition, and at the same time to avoid the infliction of unnecessary hardship, by giving to the former possessors opportunity to dispose of their property by sale or other lawful means.\*

### V. Licences.

17. The Governor-General in Council may, from time to time by notification in the *Gazette of India*, make rules to determine the officers by whom the form in which and the terms and conditions on and subject to which any licence shall be granted; and may by such rules among other matters—

- (a) fix the period for which such licence shall continue in force;
- (b) fix a fee payable by stamp or otherwise in respect of any such licence granted in a place to which section 32, clause 2 of Act No. XXXI of 1860, applies at the time this Act comes into force, or in respect of any such licence other than a licence for possession granted in any other place;
- (c) direct that the holder of any such licence other than a licence for possession shall keep a record or account, in such form as the Local Government may prescribe, of anything done under such licence, and exhibit such record or account when called upon by an officer of Government to do so;
- (d) empower any officer of Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a licence of the description referred to in section 5 or section 6;
- (e) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered; and
- (f) require the person holding any licence or acting under any licence to produce the same and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do.

### NOTES.

(1) *Vide*—KORAGA—1 WEIR 662.—note (3) under sec. 13, page 50 *ante*.

(2) The Act does not require a person who holds the licence for a gun or any other weapon to carry it on his person whenever he has the weapon with him. When being required to produce it he is prepared to do so on a reasonable opportunity being given him to get, and, if it exists, he should not be prosecuted, and if prosecuted, the production of the licence at the trial is a sufficient answer to the charge of infringing the Act.

MAHOMED IBRAHIM  
KISHUNWA

24 O. C. 22, 22 CR. L. J. 755  
20 CAL. 444

\* The Rules issued by Local Governments under section 16 (4) will be found at the end of the Indian Arms Rules, 1924.

(3) An order extending the time of renewal of licences has the effect of keeping licence previously granted practically in force and a person cannot be convicted under s. 19 (f) for a breach of its provision within the extended time.

KALI NATH SINGH.

3 C. W. N. 394

(4) On the 1st Oct. 1900, the plaintiff applied to the District Magistrate to renew his existing licence for arms, and for the issue of an additional licence for fresh arms. The District Magistrate, however, cancelled the plaintiff's existing licence, and declined to grant him a licence for fresh arms. This order was sent on to defendant, the officer in charge of the police station at the village where plaintiff lived, with a direction that it should be communicated to the plaintiff, and that such arms as there might be in his possession should be attached. The defendant, accompanied by a *panch*, went to the plaintiff's house, communicated to him the contents of the order passed by the district Magistrate, and called upon him to give up the gun which he held under the cancelled licence. The plaintiff produced a gun; but the defendant suspecting that that was not the gun in respect of which the cancelled licence had been granted, searched the plaintiff's house, but no gun was found. The plaintiff thereupon sued the defendant for maliciously searching his house; *Held*, that the defendant was not liable, (1) as he was acting in the discharge of a duty recognised by law when he searched the house, and (2) as it was not proved by the plaintiff that the defendant acted dishonestly and was prompted by a desire to injure the plaintiff.

NARA SIMHA SHANKAR DESHPANDE

27 BOM. 590.

# 18. Any licence may be cancelled or suspended—

(a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a district, or Commissioner of Police in a Presidency town, within the local limits of whose jurisdiction the holder of such licence may be, when, for reasons to be recorded in writing, such officer, authority, Magistrate or Commissioner deems it necessary for the security of the public peace to cancel or suspend such licence; or

(b) by any Judge or Magistrate before whom the holder of such licence is convicted of an offence against this Act, or against the rules made under this Act; and

the Local Government may at its discretion, by a notification in the local official Gazette, cancel or suspend all or any licences throughout the whole or any portion of the territories under its administration.

## NOTES.

BENGAL.—The only disarmed district in Bengal is Bakarganj, all licences in this district having been cancelled under s. 18 of the Act in Bengal Govt. Notn. no. 4772 J. dated the 22nd Aug. 1896. These orders were modified in 1904 when the District Magistrate of Bakarganj was authorized to issue gun licences under the following conditions to respectable and trustworthy person:—

(1) All licences to be in form XVI.

(2) No person to be licensed for more than one gun without the counter-signature of Commissioner, who will only countersign if good reason is shown.

(3) No licence to be granted to any person who is not a permanent resident in the district.

(4) Every gun to have a brass plate showing the number of its licence, the date of the original grant of the licence, and of each subsequent renewal. Such plate to be firmly affixed to the stock of the gun, under the Magistrate's orders, at the owners' expense. [Guns which can be identified by the maker's name and number, need not have the brass plates or numbers stamped thereon.]

(5) Any licensee whose gun may be lost or stolen to communicate the fact within twenty-four hours to the nearest police station.

(6) Licences only to be granted to gentlemen of position and good character who can be depended on not only to misuse the guns themselves, but also prevent others from misusing them, (Bengal no. 3887 J. D. dated the 29th Sep. 1904, no. 136 J. dated the 16th February 1905 and para. 53 Bengal L. R. and O.)

### VI.—Penalties.

19. Whoever commits any of the following offences (namely):—

**For breach of sections 5, 6, 10, 13 to 17.** (a) manufactures, converts, or sells or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 5;

(b) fails to give notice as required by the same section;

(c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6;

(d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10;

(e) goes armed in contravention of the provisions of section 13;

(f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15;

(g) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (c), he is required to keep;

(h) intentionally fails to exhibit anything which by a rule made under section 17, clause (e), he is required to exhibit; or

(i) fails to deposit arms, ammunition or military stores as required by section 14 or section 16;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(1) CLAUSE (a) *Vide* notes under sections 4, 5, 6, and 14 on pages, 38, 44, 45 and 50 *ante*.

(2) The possession of gunpowder without a licence, even though for the innocent purpose of making the fireworks, is an offence.

BOYINAPALLI VENKATARAJU

1 WEIR 655

(3) As Khandesh is neither a district on the external land frontier of British India nor a seaport district of British Burma, clause IV of the notification of the Government of India, No. 518 of the 6th March 1879 (*Vide* item 5 (1) of Schedule II) has no application to it, and as the Government of India has not, by any other notification, extended s. 19 of the Act to saltpetre in the Khandesh district, a person cannot be convicted under s. 19 for keeping saltpetre without a licence.

SAKHARAM

RAT. UN-CR. C. 227

(4) The mere temporary possession, without a licence of arms, for purposes other than their use as such, is not an offence within the meaning of s. 19.

HARPAL RAI

24 ALL. 434

(5) The keeping of arms under this section must be keeping for sale, not keeping only.

HARSHANATH CHATTERJI

42 CAL. 1153

(6) Manufacture of Kirpan is an offence under the Act.

BASTA SINGH

A. I. R. 1923 LAH. 267

(7) Though an unlicensed pistol was found in a shop—the master being absent, the servant in possession of the pistol alone could be convicted for the offence. The master's conviction could not be upheld.

CHHOTÉ

A. I. R. 1923, ALL. 33

(8) CLAUSE (b),—*Vide* notes under section 5, page 44 *ante*.

(9) A person who applied for permission to sell a gun and did not obtain such permission was held not punishable under s. 19 (b) when he had given notice under s. 5.

VENKIAH

1 WEIR 657

(10) A gun was found in an abandoned room of the house belonging to the accused in which the accused who were members of a joint family and others resided. It appeared from the evidence that the room was accessible from outside. The accused were convicted under s. 19 (b); *Held*, that if the place in which an article is found is one to which several persons have equal right of access, it cannot be said to be in the possession of any one of them, and the conviction of the accused could not be sustained.

SUDHANYA BAWALI

21 C. W. N. 839

(11) CLAUSE (c),—*Vide* notes under s. 13, page 49, *ante*.

Where a person is found carrying arms apparently in contravention of the provisions of the Arms Act, it must be presumed in the absence of proof to the contrary, that he is carrying such arms with the intention of using them should an opportunity of using them arise. Unless he is licensed to carry the weapon and is not exceeding the terms of his licence he may be properly convicted under s. 19 (c).

WILLIAMS

ALL. W. N. 1891, 208.

(12) An offence under s. 19 (c) is committed when a person enters British India with a weapon he is not lawfully entitled to possess in this country. It is not necessary that there should be any particular intention in the mind of the offender to complete the offence.

MUHAMMAD ISMAIL ROWTHER

35 MAD. 596.

(13) *Vide* ORAI—A. I. R. 1929, OUDH 157. note (8) under sec. 6, page 47.

(14) CLAUSE (d),—*Vide* notes under s. 10 page 48, *ante*.

(15) Where a person orders a gun from a dealer in Bombay ostensibly for an intending purchaser but in fact upon his own account, the act does not amount to offence of transporting without licence under rule 19 (d). Under rule 24, Arms Rules it is for the consignor and not for the consignee to apply for and obtain licence and when the transporting is done by dealer in Bombay, it is fully covered by the licence. Conviction under s. 19 (d) cannot in such a case be sustained. It is sufficient that the person ordering the gun should under rule 22 hold a licence to possess the gun and if he is found without one he is liable to prosecution, on receipt of the weapon for possessing it without licence.

VIRASAMI NAIDU

A. I. R. 1929, MAD. 864.

(16) CLAUSE (e),—*Vide* notes under ss. 13 and 14, pages 49-50 *ante*.

(17) A person licensed to carry a gun lent one of his servants his gun to shoot game with; *Held* that the servant should not be convicted for carrying a gun without a licence and that the gun should not be confiscated.

HURLEY

1881 ALL. W. N., 7.

(18) The offence of failing to deposit arms is not triable by a Magistrate of the second class under s. 8 of the Cr. P. C. 1872. A Magistrate of the second class has no power to try an offence punishable under s. 19 (e) and a conviction by him for such an offence is illegal.

SHAIKH MOWLA SAHIB

1 WEIR 660.

(19) The carrying of a spear is not an offence under s. 19 (e), because spears are exempted from s. 13.

GANPAT

RAT. UN. CR. C. 507,

(20) A man going about with a pistol, gun, sword or other weapon within the definition of arms in s. 4, must, in the absence of proof to the contrary, be presumed to be carrying it with the intention of using it, should an opportunity for using arise, and, unless he is licenced to carry the weapon and is not exceeding the terms of his licence he may properly be convicted under s. 19.

BEHRE

15 ALL., 27.

(21) A person who had no ammunition with him so as to be in a position to use his gun is not guilty under s. 19 (e) of the offence of going armed, nor can he be convicted under s. 19 (f) without sanction as required by s. 29.

TENKURAMAN BASAWAN

1 WEIR 662

(22) It must constantly happen that sportsmen on their way to and from the field hand over their guns to their servants to avoid unnecessary fatigue to themselves and by doing so it does not appear that the servants should be considered as going armed when they have no control over the use of the gun so far as intended and are simply bearers of the gun as a load. If the gun were taken to pieces before being handed to the servant, it would be difficult to hold that he could be armed with it and the moral restrictions of the servant's duty to make no use of the gun seems in effect to make the same difficulty when the gun is left complete.

NGA MYAT AUNG

U. B. R. 1897-1903 VOL. I, 1.

(23) The accused Sonia Teli, an agricultural servant of Rao Bahadur Bapu Rao Dada was found in the village of Dongargarh carrying a loaded gun belonging to his master. The village belonged to the Rao Bahadur and the accused was proceeding to his master's field for the purpose of frightening off pigs from the crop. Sonia was charged under s. 19 (e) with going armed in contravention of the provisions of s. 13, but was acquitted on the strength of the ruling of the Allahabad High Court in *Empress versus Gangadin*, 22 All. 118; *Held* that the exemption should be construed literally, but the construction adopted by the Magistrate ignores the undoubted fact that the privilege conferred by the exemption is of a personal nature and does not extend to the servants and retainers of the person exempted.

SONIA TELI

14 C. P. L. R. 112.

(24) Accused was prosecuted by the police under s. 19 (e) for going armed with a revolver. On taking the evidence the Magistrate doubted whether a person could be said to go armed with an unloaded revolver wrapped up in a cloth. He therefore charged the accused in the alternative with going armed under clause (e) or, with possessing the revolver, under clause (f) of s. 19. After the framing of the charge the Magistrate submitted the record to the District Magistrate owing to an objection being taken, for his previous sanction under s. 29. The District Magistrate wrote upon the Diary: "I sanction the institution of proceedings under s. 19 (f) against Kaka." The trial proceeded and the accused was convicted under clause (f); *Held* that, the police having submitted a report in which it was stated that the accused was found carrying the revolver, and that being described as an offence under clause (e) of s. 19, proceedings under clause (f) were instituted only when the Magistrate framed the charge under that clause. Although the framing of the charge when the Magistrate did frame it was without jurisdiction yet if the Magistrate had followed the proper course of amending the charge and then obtained sanction as he did, there would be nothing to prevent him from again framing a charge under clause (f), and proceeding with the trial. The Magistrate cannot be said to be without jurisdiction to try the case merely because he framed the charge before receiving sanction, and did not frame a fresh charge after receiving it. At the time when he took the evidence for the prosecution no sanction was required, because proceedings in respect of an offence under clause (f) had not then been instituted, and, under s. 256, Cr. P. C., the accused had the right to recall all the witnesses for the prosecution after the charge was framed. He was, therefore, in no way prejudiced by the Magistrate's procedure. The Magistrate, therefore, had jurisdiction, notwithstanding the word 'previous' in s. 29, because, in the circumstances set forth, the proceedings in respect of the offence under clause (f) cannot be said to have been instituted when the Magistrate received the police report. Considering the terms of the District Magistrate's order, it was *held* that proceedings in respect of the offence under clause (f) were instituted again after the sanction was received, and the absence of a charge framed after sanction, in that case, is cured by s. 535, Cr. P. C.

KAKA

4 L. B. R. 247.

(25) The accused was going armed without a licence within the meaning of s. 19 (e) and was not covered by his master's exemption under cl. I. Rule 3, of the rules framed under s. 27. The words 'for his own personal use' in cl. I. Rule 3. are clear and unambiguous and cannot be interpreted to mean the use of the gun by a servant or any one except the person exempted. Where the meaning of the words of the statute is clear and unambiguous, a court is not at liberty to speculate as to the intention and to decline to give effect to the strict sense because of some apparent or supposed hardship.

HATAMATAI Walad MEHRKHAN

4 S. L. R. 214.

(26) The accused was sent to an adjacent village by his master who was licensed to bear arms, to fetch a gun, which he (the master) had left there. While so returning with the gun, the accused was arrested for going armed in contravention of the provisions of s. 13. He was convicted and sentenced under s. 19 (e); *Held*, acquitting the accused, that the mere temporary possession, without a licence, of arms for purposes other than their use was not an offence within the meaning of s. 19.

KOYA HANSJI

37 BOM. 187.

(27) Where the weapon which was found to fit a dang the appellant was carrying was originally concealed but the appellant voluntarily took it from its place of concealment in order to threaten a railway servant who caught him for travelling without a ticket; *held*, that it indicates an indifference as to whether the weapon was seen or not. The intention requisite for an offence under s. 20 was not established and conviction must be altered to s. 19.

SURJAN SINGH

A. I. R. 1923, LAH. 10.

(28) If the servant carries the gun for the purpose of the master or in the presence of his master, that may not be an offence under the Act; but to get further will be going against the terms of the Act. Where the master was misled by the District Magistrate into thinking that he was entitled to allow his gun to be used by his servant and he and his servant honestly believed that they were doing nothing wrong in allowing the servant to take the gun and to use it for the purpose of shooting game in the forest, *held*, that the order of the confiscation of the gun was wrong though the servant might be rightly convicted of an offence under s. 19 (e).

VAIRAVAN SERVAI

A. I. R. 1924, MAD. 668, 47 MAD. 438.

(29) A person who carries about a gun without any ammunition can be said to go armed. To define "armed" as meaning "one who is equipped with an arm capable of immediate use as an arm" seems contrary to the vernacular meaning of the word "armed" and is also not safe. The offence is punishable under s. 19 (e) and the sanction of the District Magistrate is not required.

MUHAMMAD PUNJA

A. I. R. 1925, SIND 177.

(30) An accused charged under s. 452 I. P. C. for house trespass with preparation to cause hurt cannot be convicted under s. 19 (e) of the Act without a specific charge under the latter and with no opportunity to the accused to meet the altered charge. Conviction set aside.

NGA SHWE TON

A. I. R. 1927, RANG. 32, L. B. R. 1893-1900, 284.

(31) A licensee was granted a licence for a gun on certain conditions one of which was "licensee shall not go armed otherwise than in good faith for the purpose of sport, protection and display and save where he is specially authorized in this behalf by the District Magistrate, he shall not take any such arm to a fair, religious procession or other public assemblage." The licensee was convicted under s. 19, "in respect of his having gone armed with his gun in a marriage procession; *Held*, that a marriage procession neither comes necessarily under the category of a religious procession nor of a public assemblage within the condition and therefore no special permission of the District Magistrate was required for the carrying of arms in such a marriage procession.

SETH BALKISHAN

A. I. R. 1928, NAG. 219.

(32) Where an accused having pleaded guilty was convicted under s. 29 (e) by the first class Magistrate and the Sessions Court acquitted him, it was *held* that, as



under s. 412 Cr. P. C., no appeal lay from the conviction, the order of acquittal made by the Court of Sessions was made without jurisdiction and must be set aside.

NGA LU GALE

A. I. R. 1928, RANG. 49.

(33) The offence under s. 19 (e) is distinct from offence under s. 324 I. P. C., and therefore a trial for an offence under s. 324 I. P. C., would not be a bar to the proceedings under s. 19 (e) of the Act.

MANJUBHAI GORDHANDAS

A. I. R. 1929, BOM. 283.

(34) CLAUSE (f).—No proceedings under s. 19 (f) can be instituted without the previous sanction of the District Magistrate, or, in a Presidency town, of the Commissioner of Police required under s. 29 of the Act. Also persons punishable under this section are not to be arrested without the previous sanction of the District Magistrate.

BOMAYA CHETY

5 MAD. 26.

NGA POKA

L. B. R. 1892-1896, 536.

PA TWE WA

U. B. R. 1892-1896, VOL. I, 2.

GOPAL KRISHNA IYER

9 MAD. L. T. 475.

AHMED HUSAIN

27 CAL. 692, 4 C. W. N. 750.

ANGAD

A. I. R. 1929, ALL 69.

(35) The mere possession of arms, other than those mentioned in s. 14 is not a punishable offence.

NGA POKA

L. B. R. 1872-1892, 536.

(36) The trial of an offender under s. 19 (f), without the district Magistrate's sanction under section 29 is not merely an error of procedure but is a defect which bars the jurisdiction of the Court. No failure of justice is necessary to set aside a conviction under the section made in proceedings without such sanction. The District Magistrate in such a case may, however, order a fresh sanction if he wishes to do so. Where the offence has been committed by the accused, who was in possession of arms, the fact that the legal procedure (s. 25) was not followed in making the search would not, by itself, be sufficient ground to acquit the accused.

PA TWE WA

U. B. R. 1882-1896 VOL. I., 2.

(37) Having regard to the Punjab Govt. Notifn. No. 826 dated the 25th Feb. 1875, making the provisions of s. 32 of the Arms Act (XXXI of 1860) operative, in the greater part of the Punjab, including the Karnal District, the previous sanction of the District Magistrate, was not a condition precedent to a prosecution for an offence under s. 19 (f) of the Act, 1913.

SUNDAR SINGH

24 P. R. 1913 Cr.

(38) For the purpose of supporting a conviction under s. 19 (f) and s. 20, the articles discovered must be clearly proved to have been in the possession of the accused. Admissions made to police are generally inadmissible as evidence under s. 25, Evidence Act.

NGA THA KU

10 BUR. L. T. 121.

(39) In the Bijnor and certain other parts of the United Provinces in the north of the rivers Jumna and Ganges the sanction of the District Magistrate for a prosecution under s. 19 (f) of the Arms Act is not necessary, as rule 92 of the U. P. Rules shows that all parts of the U. P. north of the river Son have been disarmed.

AMIR AHMAD

A. I. R. 1926 ALL. 143

(40) Where the accused is clearly in possession of arms and ammunition without a licence, no sanction is necessary for starting prosecution under section 19 (f).

ABDUL GHAFUR

A. I. R. 1929 ALL. 68.

(41) According to s. 29, sanction of the District Magistrate was necessary to prosecute a person under s. 19 (f) for possessing arms without a licence in the district of Aligarh, only for three months after 15th March 1878 and not subsequently. [A. I. R. 1926. ALL. 143 and A. I. R. 1929 ALL. 68, (notes (40) and (41) above) *distd.*]

ANGAD

A. I. R. 1929 ALL. 69.

(42) In the absence of a proclamation or order under s. 3, clause 2, of Act XXXI of 1860 for a general disarmament or search for arms, the sanction under s.

29 of the Act is necessary for a prosecution under s. 19 (f) for possession of a gun without licence.

PERUMAL CHETTI

1 WEIR 660.

(43) A collection of firearms, consisting of four small cannon, four pistols and thirty-one musket, had been kept as objects of worship in a Sikh temple in Patna for upwards of two centuries. The Mahant of the temple neglected to take out a licence in respect of these arms. A police inspector, who was appointed to see that the provisions of the Arms Act were obeyed, searched the temple on information received and, having found the arms, prosecuted the persons who had charge of the temple. The latter was convicted by the Deputy Magistrate of Patna under s. 19 (f) and sentenced to pay a fine of Rs. 50 or to be rigorously imprisoned for two months. The Deputy Magistrate also ordered the arms to be confiscated, and directed that their value and the fine should be divided between the informer, and the police inspector; *Held*, with reference to Act X of 1872, s. 579, and the heading to Schedule IV of the same Act, and to s. 19 (f) of Act XI of 1878, that the proceedings of the police inspector and the conviction of the accused were not illegal. There is nothing in the Arms Act to exempt the custodians of a temple from complying with the requirements of the Arms Act either by taking out a licence or obtaining exemption under s. 27. S. 25 of the Arms Act appears to refer to cases in which the Magistrate considers that arms whether under a licence or not, are possessed for an illegal purpose, or under circumstances such as to endanger the public peace. S. 30 of the Arms Act appears to contemplate the presence of some specially empowered officer, besides the officer conducting the search. So much of the Deputy Magistrate's order as refers to the division of the value of fire-arms and the fine imposed between the informer and the inspector was also set aside.

TEGHA SINGH

8 CAL. 473

(44) *Vide*—AHMED HUSAIN—27 CAL. 692, note (4) under sec. 20, page 66, *post*.

(45) Under rule 11A of the notification of the Government of India dated the 6th March 1879, spears of all kinds are, so far as regards the Presidency of Madras, excluded from the operation of the Arms Act.

BAPI NAIKEN

1 WEIR 660.

(46) When a Magistrate issues a search warrant under s. 25 it is necessary that he should record the grounds of his belief that the person against whom the warrant is issued has in his possession arms, ammunition or military stores for an unlawful purpose. Where proceedings under the Act in respect of the unlawful possession of arms are taken against a member of a joint Hindu family not being the head of such joint family, and arms are found in a common room of the joint family house, it is incumbent upon the prosecution to give good evidence that such arms are in the exclusive possession and control of the particular member of the joint family who is sought to be charged with their possession.

SANGAM LAL

15 ALL. 129.

(47) A license granted to a person to carry arms and including a retainer authorises any retainer to carry the arms specified with the permission of his master, and does not restrict him merely to carry them while in the actual presence of his master.

KISHUNWA

20 CAL. 444.

(48) By a notification under s. 27 issued by the Government of India, certain persons, amongst them certain Rajas and members of the Legislative Council of the Lieutenant Governor of the North-Western Provinces, were exempted from the operation of ss. 13 and 16, but with this proviso that "except where otherwise expressly stated, the arms or ammunition carried or possessed by such persons shall be for their personal use, etc.;" *Held* that the terms of this proviso would allow of a person exempted under the notification, above alluded to, sending a servant armed with a gun into a neighbouring district to shoot birds for him, and that a gun so carried and used by the servant of the exempted person was in the "personal use" of the exempted person within the meaning of the notification.

GANGADIN

22 ALL. 118, A. W. N. 1899, 213.

(49) In a prosecution under s. 19 the accused was charged with being in possession of a dagger which was found in a cloth or quilt inside a basket in one of the rooms of his house. It appeared that the room and house were jointly occupied

by the accused and his son, and the prosecution failed to prove that the dagger was in the exclusive possession and control of the accused, or that he was its owner; *Held*, that the accused was under the circumstances not guilty of an offence under the Arms Act.

SHER ZAMAN

52 P. R. 1905 CR.

(50) When a person who apparently had a licence to go armed had come to a village wherein his cousin's servant was to shoot, feeling thirsty, went to get a drink, leaving the gun with the servant, (a person not holding a licence under the Arms Act); *held*, that such a temporary custody of the gun by the servant did not amount to "possession" or "control" contemplated by s. 19 (f).

KHUDDA GOND.

4 N. L. R. 140 CR.

(51) A person, named Prabhat Chandra Chaudhuri, seized a gun which was in the hands of a servant of an exempted person and fired at a mad dog which had entered the compound of his house. It missed the animal but a shot from the gun wounded a man named Manda Rajbansi. For this Prabhat Chandra Chaudhuri was convicted under s. 304-A, I. P. C., and sentenced to pay a fine of Rs 300 and to detention in court for one day. The Session Judge on appeal reduced the fine to Rs. 100. The accused was again prosecuted under s. 19 (f) of Act XI of 1878; *Held* that the accused was not liable under the section referred to. The provisions of this section do not make the mere possession of a gun punishable; they make possession contrary to the provisions of s. 14 of the Act punishable. The temporary possession which the accused had of the gun when he snatched it up and fired it was not the possession contemplated by s. 14 of the Arms Act.

PRABHAT CHANDRA CHAUDHURI

35 CAL. 210, 12 C. W. N. 272.

(52) A servant was found using a gun which was lent to him by his master who held a licence for the gun for his own purpose; *Held* that the act of the accused was an infringement of the possession of s. 19 (f) of the Act.

MADHO LAL

13 C. W. N. 124

(53) Where a certain firearm has been found from the possession of the accused who had concealed it under a heap of straw, in order that visitors in the house should not see them, *held* that the concealment was not with the intention specified in s. 20 and the accused could, therefore be convicted only under s. 19 (f).

AZU Walad BANGAR

1 S. L. R. 18, CR.

(54) *Vide*—AKHIL NATH DATTA,—15 C. W. N. 440—note (4) under s. 14, page 50.

(55) The first part of s. 20 does not apply to cases of concealments or of attempts at concealments made by a man who has arms on his person or in a bag which he is carrying or which is otherwise in his immediate personal possession, only on being arrested. It is meant to deal with cases of concealment, before arrest. Where a man, finding himself arrested for being in possession of a revolver, attempts to throw it away, the act of such person would only come under s. 19 (f).

GOPAL KRISHNA IYER

9 M. L. T. 475.

(56) The accused kept a gun as a servant of C, who was licensed to bear it. After C's death the accused continued in the employ of C's undivided brother V, who succeeded C in the management of the property. The accused was convicted under s. 19 (f) for having been in possession of an unlicensed gun. On appeal, it was contended that the liability, if any, was that of V, who had neglected to renew the licence; *Held*, that the accused was rightly convicted, for he was the only person who had the possession and the control of the weapon.

JAFU BABU

14 BOM. L. R. 501.

(57) The petitioner was carrying a gun on behalf of his master with fine licence to the Magistrate for the purpose of a renewal of the licence. It was admitted that the object of the petitioner was merely to carry the gun to the Magistrate. The petitioner was convicted under s. 19 (f) for possessing a gun in contravention of the provisions of the Act; *Held*, that the conviction of the petitioner cannot be upheld.

CHARU CHANDRA GHOSH

41 CAL. 11, 17 C. W. N. 978.

GOPAL

18 CR. L. J. 297

MALUA

20 " " 432

(58) Each case of concealment of arms must be decided on its own facts, *i.e.*, whether it falls under section 19 or section 20 of the Arms Act, and that circumstances connected with the present case showed that the concealment was made so that the possession of the weapon should not be known to the police and the offence therefore fell under section 20.

KHEM SINGH

8 P. R. 1915 CR.

(59) A person carrying revolver in his pocket without a licence is guilty under s. 19 (f) and not under s. 20. When a revolver was found in the possession of one of the two men sitting together and it was proved that one time the revolver was possessed by one or the other of the two, both are guilty of possessing arms without a licence.

UDHAM SINGH

27 P. W. R. 1915 CR., 15 CR. L. J. 637.

(60) If on the trial of the case under the Arms Act the evidence recorded indicates an offence under s. 20, the Magistrate ought to commit the case to the Session Court.

NISHI KANT LAHIRI

20 C. W. N. 732.

(61) A discovery of arms in consequence of the information supplied by the accused that he had buried a revolver in his field, fulfils the requirements of sections 19 (f) and 20.

ISHAR SINGH

72 P. L. R. 1916.

(62) A pardanashin lady and her minor son, a young man of 17 years of age, lived together in the family house. In their house there was a small collection of arms of various kinds which had belonged to the father who as an honorary magistrate, was exempt from the operation of the Arms Act. There was evidence that the arms were kept clean and that the son at all events took a certain amount of interest in them. *Held*, that a finding that the son was in possession of these arms, and not having a licence for them, was liable to conviction for an offence of under s. 19, (f), was not open to objection.

GHULAM HUSAIN

40 ALL. 420

(63) Where a head constable made a false report that a dacoity had been committed and that he had arrested some dacoits and after a delay of three days, as he said, recovered the arms from the petitioner not in the presence of witnesses, who signed the list but who distinctly recorded that the arms were produced before them by the constable; *Held* that the petitioner was not guilty.

ALIF DIN

A. I. R. 1923 LAH. 466.

(64) A chhavi was found in a house in the joint possession of both the accused, it could not be said with any degree of certainty that one of them was in exclusive possession thereof and the accused must therefore be given the benefit of doubt.

ALIA

A. I. R. 1923, LAH. 513.

(65) The accused was in secret possession of local made guns and cartridges. Sanction was obtained for prosecution under s. 20, but he was convicted both under s. 19 (f) and s. 20; *Held* that the conviction under s. 20 was legal but that under s. 19 (f) was bad for want of sanction.

NGA THA HLA

A. I. R. 1924 RANG. 85

(66) A Sikh possessing or wearing one sword commits no offence under s. 19 by virtue of the exemption under Schedule II.

HARI SINGH

A. I. R. 1924, LAH. 600; 3 LAH. 308

(67) The accused's father held a licence for a gun. The licence did not mention that he was entitled to hand over his gun to a retainer. The accused took out the gun of his father for the purpose of shooting birds and was found out by an officer of the police and tahsildar; *Held*, that though the spirit of the law was not contravened, yet, the latter was certainly contravened. The sentence was reduced to a fine of Rs. 25/-.

MUHAMMAD HASSAN

A. I. R. 1924 ALL. 175, 47 ALL. 267.

(68) When communal riots were taking place in different quarters of the town, the accused, brother of a licence holder, took out his brother's gun and fired shots in the air so that people mischievously inclined might know that it was not safe for them to do any mischief to the people living in the house; *Held*, that the possession

of the gun was on behalf of the brother and the accused was not guilty under s. 19 (f).

BABU RAM

A. I. R. 1925. ALL. 396, 47 ALL. 606

(69) Something more than a mere ordinary concealment should be established in order to bring the possession within the meaning of s. 20. Where the gun was upon a charpoy upon which the accused was sitting and was covered with a dotahi and the accused had been convicted under s. 20 the conviction was altered into one under s. 19 (f). [27 Cal. 692 *folld.*—*Vide* note (4) under s. 20, page 66.]

CHANNAN SINGH

A. I. R. 1925, LAH. 395, 6 LAH. 151

(70) Each case of concealment of arms must be decided on its own facts as to whether it falls under s. 19 or s. 20 of the Arms Act; 1 S. L. R. 18 Cr. (F. B.) and 8 P. R. Cr. 1915. For a conviction to fall under s. 20 there must be some special indication of an intention that the possession of the arms was being concealed from a public servant or from a railway official. [*Vide* notes (53) and (58) above.]

CHET SINGH

A. I. R. 1926 LAH. 262

(71) Proceedings are 'instituted' against a person in respect of an offence under s. 19 (f) of the Arms Act only when he is placed before the Court. The fact that the sanction of the Commissioner of Police for a prosecution under s. 19 (f) was not obtained before entering the case in the case book and making out a charge but only before placing the accused before the Court does not, therefore, vitiate a trial.

ISMAIL KHAN

A. I. R. 1927 CAL. 721

(72) Want of compliance with the provisions of s. 25 will not render conviction under sections 19 and 20 illegal.

SHIAM LAL

A. I. R. 1927 ALL. 516

(73) If a person carries on his person a small weapon such as pistol, a dagger, or a blade of a chhavi, he naturally puts it in his pocket or *dab*, and if with that weapon in his pocket or *dab* he is in his house or in his village or in a *bazar* or in a court compound, it cannot be inferred that he was so carrying the weapon with the intention specified in section 20.

GHULAM MOHAMMED

A. I. R. 1927 LAH. 561

(74) Where two or more persons conspire to possess firearms without a licence they are guilty of an offence under S. 120 B. I. P. C., read with S. 19 (f) of the Arms Act.

NIRMAL CHANDRA DE

A. I. R. 1927 CAL. 265, 31 C. W. N. 239

(75) Where an article, the possession of which is forbidden by the Indian Arms Act, has been discovered by reason of information given by an accused person, his conviction based upon that evidence is valid.

NAURANG SINGH

A. I. R. 1927, LAH. 900 (1)

(76) Where the cartridges of a rifle were found in the house of a person who was charged with theft, and he stated that the cartridges were not within his knowledge but might have been placed in the house by his brother who had formerly been employed in the military, *held*, that he cannot be convicted of an offence under sec. 19 (f) of the Arms Act.

MANIGER

A. I. R. 1927, CAL. 571

(77) Where the portion of a house in which an article is found is not in the exclusive possession of any one member of the joint family, but is used by or accessible to, all the members of the family there is no presumption that the article is in the possession or control of any person other than the house-master or the head of the family. But it is open to the prosecution to prove that the possession was with some other member of the family, and that member would then be liable to account for it. (15 All. 129, Sangamial *folld.*)

DULA SINGH AND ANOTHER

A. I. R. 1928, LAH. 272.

(78) Where the form of a licence contained a description of a gun as a full barrelled gun, it cannot be held as a licence to hold a half barrelled gun.

MURLI SINGH

A. I. R. 1928, LAH. 759 (1).

(79) As in the case of a suit, a proceeding is instituted when for the first time the adjudication of a Court of competent jurisdiction is sought. Therefore the expression "proceedings" in s. 29 mean legal proceedings in Court and not searches or arrests or investigations made by the police in exercise of the powers conferred upon them by the Criminal P. C., or any other law. *Vide* Katroo,—A. I. R. 1925 All. 434, note (12) under s. 25, page 72.

GHULAM NABI AND OTHERS

A. I. R. 1928, PAT. 146.

(80) Before the Police entered the house which was to be searched, certain persons inside were seen throwing down something from their person, and on a search being made certain cartridges were discovered under the *chowki* on which the accused were sitting conversing with others. The cartridges were not proved to be in their possession, nor was it proved that they knew that they were there; *Held*, that the charge against them rested on suspicion and their guilt not being proved they cannot be convicted under section 19 (f).

BAZLAR RAHMAN AND OTHERS

A. I. R. 1929, CAL. 302.

(81) In the case of a house occupied by a joint family there is an initial presumption that an article found therein is in the possession of the head of the family: thus where a house was occupied by a person, his father who was 80 years old, and the person's wife, and a *chhavi* blade was found in wife's possession the mere fact that the father is 80 years old is not sufficient to establish that the person was in possession of the *chhavi*.

KARAM SINGH

A. I. R. 1929, LAH. 872 (1).

(82) Offences under this section are bailable and triable by a Court of Sessions, Presidency Magistrate or a Magistrate of the first class (Schedule II. Cr. P. C.) being punishable with imprisonment for more than six months specified in s. 220 (260) Cr. P. C., could not be tried summarily.

1 WEIR 654.

(83) Sentence of solitary confinement cannot be awarded under the Arms Act.

NAZIR SINGH

LAH. 1924, 667

(84) Under section 19 a Magistrate having found the accused guilty, was bound to pass some sentence though it was open to him to pass a nominal sentence. S. 24 shows that the order of confiscation is an addition to the sentence that may be passed.

GANGAMMA

1 WEIR 664.

(85) The Arms Act is highly penal and must be strictly construed.

SANGAM LAL

15 ALL. 129.

(86) In a case of technical offence, a nominal sentence is always quite sufficient to meet the ends of justice.

SANT SINGH

16 P. R. 1910 Cr. 23 P. W. R. 1910 Cr.

EBRAHIM ALIBHOY

7 B. L. R. 474.

(87) A penal enactment like the Arms Act must be construed in favour of the individual person where any doubt exists.

SETH BALKISHAN

A. I. R. 1928, NAG. 219.

(88) Where the accused was bound under section 110 Cr. P. C., and was made to execute a bond in the sum of Rs. 500/-, with two sureties on the ground that he was a habitual thief and dacoit, and where before the expiry of the bond, he was convicted for being in possession of a *chhavi* under s. 19 (f) and sentenced to three years imprisonment, where it was proved that while he was found in possession of the *chhavi* he was on a wandering expedition and where after his conviction, the Courts below forfeited the full amount of the security furnished by the sureties, *held*, that the order of confiscation of security was fully justified.

BUTA SINGH AND RODA SINGH

3 P. R. 1917 Cr.

20. Whoever does any act mentioned in clause (a), (c), (d), or (f) of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a railway or to the servant of any public carrier,

For secret breaches  
of sections, 5, 6, 10,  
14 and 15.

and whoever, on any search being made under section 25,  
 For concealing conceals or attempts to conceal any arms,  
 arms, etc. ammunition or military stores,  
 shall be punished with imprisonment for a term which may extend  
 to seven years, or with fine, or with both.

## NOTES.

(1) Under Sch. II., Cr. P. C. 1898, offences under this section are not bailable and triable only by a Court of Sessions. They can, of course, be tried by officers specially empowered under S. 30 of the Code. [Bur A. M., 1926]

(2) For definition of "Public servant" see s. 21, I. P. C.

(3) An offence under s. 20 is not triable by a first class magistrate.

SHUNSHUNNISA

2 L. B. R. 244.

(4) The license of the accused for the possession of fire-arms and ammunition was cancelled in August 1897. He was suspected of being in possession of arms after the cancellation of his licence. The Assistant Magistrate of Purneah, with a number of police, went to the house of the accused to search for arms. They surrounded it, arrested the accused and then searched his house. The police had no search warrants, nor was there anything to show upon what charge the accused was arrested. Two gun-stocks, some ammunition and implements for re-loading were discovered in the house. There was nothing to show that the sanction required by s. 29 of the Arms Act was given before proceedings were instituted against the accused. Accused was convicted and sentenced under ss. 19 and 20 of the Arms Act. *Held* that the conviction under s. 20 was not sustainable but that the accused must be taken to have had arms and ammunition as defined by the Arms Act, within the meaning of s. 19 (f) and the conviction under that section must be confirmed. *Held*, further, that with respect to the question of whether or not any previous sanction had been given under s. 29, the Court was not unmindful of the suggestion that the charge in this case was, in the first instance, in respect of an alleged offence under s. 20 and not of one under s. 19; but that ss. 19 and 20 were so interwoven that it was difficult to see how an offence could be committed under the first paragraph of s. 20 unless an offence under one of the enumerated sub-sections in s. 19 had also been committed. It was not suggested that the charge here was an offence under the second paragraph of s. 20.

AHMED HUSAIN

27 CAL. 692.

(5) Proceedings may be instituted against any person under s. 20 for the secret possession of arms in contravention of the provisions of sec. 14 or sec. 15 without previous sanction under sec. 29. If however in such a case the Magistrate finds that the intention to conceal the possession is not made out he should discharge the accused under sec. 20. Proceedings under sec. 19 (f) may then be instituted if and when the necessary sanction thereto is given, under sec. 29. The absence of sanction is a defect which cannot be cured by sec. 537. Cr. P. C. (*Vide* note (24) under sec. 19 on page 58)

NGA PO CHIN

8 L. B. R. 452, 9 BUR. L. T. 287

(6) The mere denial on the part of a person, whose house is being searched by the police for unlicensed arms, that he has any such arms in his possession does not constitute a concealment or attempt to conceal arms on search being made by the police within the meaning of the second paragraph of s. 20. *Held* also, that where unlicensed arms are found concealed upon premises which though legally the joint property of a joint Hindu family, are in fact, at the time of the finding in the exclusive possession and control of one member of the family can properly be held to be in possession of such arms.

RAM SARUP.

28 ALL. 302.

(7) *Vide* GOPAL KRISHNA IYER, MAD. L. T. 475, note (53) under sec. 19 (f) page 60.

(8) S. 20 of the Act though widely worded is in practice only applied to cases where the import of arms is attempted and not to ordinary cases of concealment of arms.

IBRAHIM

9 P. R. 1912 C

(9) *Vide* KHEM SINGH,—8 P. R. 1915, CR., note (58) under s. 19 (f), page 63.

(10) Sec. 20 is applicable only to those case where the import or export of an arm is attempted.

GAHNA.

\* 13 P. L. R. 1914.

(11) *Vide* UDHAM SINGH—15 CR. L. J. 637, note (59) under sec. 19 (f), page 63, *ante*.

(12) *Vide* AZU Walad BANGAR—1 S. L. R. 18 CR., note (53) under sec. 19 (f), page 62 *ante*.

(13) The only additional element necessary to constitute an offence under sec. 20 is that the possession should be in such a manner as to indicate an intention that such act may not be known to any public servant.

HARSHA NATH CHATTERJI

42 CAL. 1153, 19 C. W. N. 706.

(14) Sentence of three years' rigorous imprisonment without special grounds is very heavy and ought to be reduced.

BALAMBOIL BUTTASHARI AHMAD

17 CR. L. R. 80.

(15) *Vide* ISHAR SINGH,—72 P. L. R. 1916, note (61) under sec. 19 (f), page 63, *ante*.

(16) *Vide* NGA PO CHIN—8 B. L. R. 452, note (9) under sec. 14, page 51.

(17) The eight appellants were on a joint trial convicted by the Session Judge of dacoity under ss. 395, 397, I. P. C., and one of them was not only charged with being concerned in the dacoity but also with being in possession of arms and ammunition under s. 20 of the Arms Act, at a time subsequent to the dacoity. The learned judge acquitted him of the latter charge as he held he could not be legally convicted of that offence and of that of dacoity at the same trial. *Held*, that the trial was illegal and the defect in it could not be cured by the court acquitting the appellant concerned of the charge under the Arms Act.

JAI SINGH

44 P. R. 1917 CR. 156.

(18) Where an approver makes a statement disclosing his illegal possession of firearms and is released on pardon it is illegal to try him under s. 20.

SIAM SUNDAR

19 ALL. L. J. 717.

(19) *Vide* MANGAL SINGH,—A. I. R. 1923, LAH. 138, 2 LAH. 133, note (43) under sec. 4, page 41, *ante*.

(20) Each case of concealment of arms must be decided on its own facts and it must be shown that the concealment was made so that the possession might not be known to the police.

SHER ALI

A. I. R. 1923, LAH. 79, 52 P. R. 1905 CR.

(21) Merely because the weapon concealed is *chhavi*, maximum sentence ought not to be inflicted.

FAKIRA

3 L. L. J. 145.

(22) Where the arms were discovered on the information given by the accused, the concealment of the *chhavi* and other arms recovered from the possession of the accused is clearly within the intention of this section.

ALI AHMAD

A. I. R. 1923, LAH. 434

(23) *Vide* SURJAN SINGH,—A. I. R. 1923, LAH. 10, note (27) under sec. 19, page 59.

(24) *Vide* CHHOTE,—A. I. R. 1923, ALL. 33, note (7) under s. 19, page 57.

(25) Sec. 20 lays down distinct offences and the Court should therefore distinctly state whether the first or the second part of the section is meant. *Vide* note (65) under s. 19 (f) on page 63, *ante*.

NGA THA HLA.

A. I. R. 1924 RANG. 85.

(26) *Vide* CHANNAN SINGH,—A. I. R. 1925, LAH. 395, note (69) under sec. 19, page 64.

(27) The power of search in respect of an offence punishable under s. 19 (f) must be exercised in the presence of some officer specially appointed by name or in virtue of his office by the Local Government in this behalf. A search conducted



by a Police officer in charge of a reporting station, specially empowered as above without obtaining a warrant from a Magistrate, is not illegal.

**BABURAM**

A. I. R. 1925, ALL. 396, 47 ALL. 606.

(28) Keeping ammunition and part of arms hidden under clothes, falls under s. 20 and not under s. 19.

**MT. BABO**

A. I. R. 1926, LAH. 61.

(29) Each case of concealment of arms must be decided on its own facts whether it falls under s. 19 or s. 20. (*Vide* note (70) under sec. 19, page 64.)

**CHET SINGH**

A. I. R. 1926 LAH. 262.

(30) Each case of concealment of arms must be decided on its own facts as to whether it falls under s. 19 or s. 20, but for s. 20 to apply there must be some special indication of an intention to conceal the possession of arms from public servant, railway official or public carrier.

**KARIM BUKHSH**

A. I. R. 1928, LAH. 193.

(31) *Vide* GHULAM MOHAMMAD.—A. I. R. 1927, LAH. 561, note (74) under sec. 19, page 64.

(32) In every case it is a question of fact whether the person found in possession of a concealed weapon is carrying the weapon in such a way as to indicate an intention to hide the article from the classes of persons referred to in S. 20. But the fact that a person is concealing a weapon while he is on a railway platform must indicate an intention to conceal that weapon from *inter alia* railway officials who are about that platform. The fact that there was a suspicion in the mind of the police that the accused was about to take part in a criminal undertaking is not a circumstance which a Court can take into consideration in arriving at an appropriate punishment for the actual offence which has been proved under section 20.

**ABDUL WAHID**

A. I. R. 1928 LAH. 110.

(33) The fact that the accused secreted the spear-head next to his skin does not indicate any intention that the possession by the accused of the spear-head might not be known to any public servant. The fact that the accused ran away when challenged by the constable indicates an intention of the character mentioned in s. 20. But where the accused had a companion who also ran away but upon whose person nothing incriminating could be found, as no such intention can be credited to the companion on the ground he also ran away, it cannot be attributed to the accused as well.

**HARNAM SINGH**

A. I. R. 1929 LAH. 576.

21. Whoever, in violation of a condition subject to which a licence has been granted, does or omits to do  
 For breach of licence. any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

#### NOTES.

(1) Under Sch. II, Cr. P. C. 1898, offences under this section and under sec. 22 or 23 are bailable and triable by any Magistrate [Bur. A. M. Edn. 1926, p. 22].

(2) The accused, who was a cousin of the licensee, borrowed the gun and carried it in a marriage procession where he fired some shots and wounded some people accidentally. The licensee was forbidden under the terms of his license from taking the gun to a public assemblage. *Held*, that the accused was guilty of an offence under s. 19. Where a marriage procession, emerged from private premises and goes down the public street, then it is open to the public to join the procession, becomes a public assemblage.

**KALYAN CHAND GOPAL CHAND**

A. I. R. 1923, BOM. 35, 24 BOM. L. R. 487.

22 Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5, to sell the same; or

For knowingly purchasing arms, etc., from unlicensed persons, delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same;

For delivering arms, etc., to persons not authorised to possess them.

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

#### NOTES.

(1) Dealers in arms will be responsible if they merely rely on such inquiries to satisfy themselves of the legal authority of any intending purchasers. They are similarly not properly discharging their obligation if they send by post arms to any person who professes himself entitled to possess them. They must make due inquiries in all cases of sales, and must in all cases where they have not already sufficient proof that the purchaser is legally entitled to purchase, obtain sufficient proof by further inquiry. (H. D. no. 2964, dated the 11th August 1909.)

(2) Under this section licensed dealers in arms and ammunition are bound to ascertain that the persons to whom they sell arms, ammunition or military stores are legally authorised to possess the same. Any tendency on the part of dealers to evade this obligation should be checked by the police by their constant strict supervision over the trade in arms and ammunition. The police should also exercise constant vigilant supervision over the registers maintained by licensed dealers in order to ensure that arms and ammunition are not sold to persons other than those legally authorised to possess the same. If on inspection, they find that arms and ammunition are supplied to persons whose exemption seems to be doubtful they should take steps to ascertain whether such persons are really exempt from the provisions of the Arms Act, and, if not, to report the matter to the District Magistrate. In doubtful cases of sales to persons said to possess licences under the Arms Act, a reference to registers maintained in police station will show whether the purchasers are *bona-fide* or not. (Madras L. R. and O.)

(3) The manager of a licensed vendor of arms, ammunition and military stores sold certain military stores without previously ascertaining whether the buyer was legally authorised to possess the same. *Held* that the licensee was liable to punishment under this section, though the goods were not sold with his knowledge and consent. The principle—"whatever a servant does in the course of his employment with which he is entrusted and as a part of it, is his master's act" is applicable to the present case.

TYAB ALI

24 BOM. 423

(4) From s. 22 of the Act it is clear that the transfer of possession contemplated is something more than the entrusting of an arm to a servant. Moreover, in ss. 14 and 19, the Act deals with possession and control as distinct matters. A servant using a gun belonging to his master would no doubt have the weapon under his control, so long as the use continued, but the weapon, would remain in the master's possession. Throughout the Arms Act the word "possession" must be taken to mean something different from mere "control."

MUKUNDA

4 N. L. R. 78

(5) A and his servant N while out on a shooting excursion, came across a deer recently killed by a tiger. A fixed his rifle over the killed deer so as to form a trap for the tiger and went home leaving the trap in charge of N. A was charged under section 22 of the Arms Act, with having delivered the rifle into the possession of an unauthorised person. *Held*, that the delivery into possession contemplated by section 22 of the Arms Act is such a delivery as to give the person into whose possession the arm is delivered control over the arm and authority to use it as an arm and that therefore A cannot be convicted for an offence under section 22.

ADAMS

5 L. B. R. 183

(6) Where a gunmaker acting under the directions of the licence holder made over his gun to a person merely to carry it to its owner and not with any authority to use it as an arm *held*, that the gunmaker did not commit an offence under s. 22. A licence-holder of a gun can permit another person who is not so licensed to carry his gun.

MANZUR HUSAIN

A. I. R. 1928. ALL 55.

(7) *Vide* ABDUL WAHID,—A. I. R. 1928, LAH. 110, note (32) under sec. 30, page 68.

(8) *Vide* KARIM BAKSH,—A. I. R. 1928. LAH. 193, note (30) under sec. 20, page 68.

(9) *Vide* NIRMAL CHANDRA DE,—A. I. R. 1927, CAL. 265, 31 C. W. N. 239, note (74), under sec. 19, page 64.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Penalty for breach of rule.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale shall be confiscated.

Power to confiscate.

#### NOTES.

(1) Confiscated arms, ammunition and military stores may be sold to licensed dealers or to other persons entitled to possess them, and such rifled barrels as are to be destroyed must be sent to the nearest Ordnance officer to be broken up, and may no longer be destroyed locally. (H. D. no 1404 dated the 11th June 1907 and no. 1628 dated the 9th Oct. 1907).

(2) For delay in getting a licence renewed a Magistrate imposed a fine and ordered confiscation of the gun. *Held*, the fine was a sufficient punishment and set aside the order of confiscation and directed the retention of the gun at the Police station till the production of a licence entitling the holder to possess the gun.

KOTTUWA ROWTHER

15 CR. L. J. 21

(3) Confiscation is in addition to some sentence which the Magistrate is bound to pass.

GANGAMMA.

1 WEIR 664

#### VII.—Miscellaneous.

25. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful purpose,

or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by

The Rules relating to disposal of confiscated arms, etc., under section 24, will be found at the end of the Indian Arms Rules, 1924. For page numbers see the List of Contents.

such person or in which such Magistrate has reason to believe such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by a licence, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of a Magistrate, or by, or in the presence of, some officer specially empowered in this behalf by name or in virtue of his office by the local Government.

### NOTES.

(1) The following officers are empowered under this section to conduct searches:—

BOMBAY.—Police Officers of not lower rank than the Inspector of Police (Police Manual, Edn. 1928, Vol. I, page 169).

BENGAL.—Any police officer not below the grade of Sub-Inspector or the Deputy Conservator of forests, Jalpaiguri and Buxa Duars in the Jalpaiguri district. [Bengal L. R. and O. para. 82 (2)].

UNITED PROVINCES.—Justices of the Peace and Superintendents, Assistant Superintendents, Deputy Superintendents and Inspectors of Police. (G. O. no. 3264-VI-2 dated the 9th Nov. 1907 and para. 84 of U. P. Rules).

PUNJAB.—All police officers not below that of officer in charge of stations in virtue of their office (Notn. no. 8408 dated the 5th March, 1929).

CENTRAL PROVINCES.—All police officers not below the rank of Sub-Inspectors. (Notn. no. 8126 G. dated the 6th November, 1893).

N. W. F. PROVINCE.—All police officers not below the rank of officer in-charge of station (Notn. no. 7103 dated the 2nd May, 1922).

(2) *Vide* TEGA SINGH,—8 Cal. 473, note (43) under sec. 19 (f), page 61 *ante*.

(3) *Vide* SANGAM LAL,—15 All. 129, note (46) under sec. 19 (f), page 61.

(4) Where the accused were convicted of offences under ss. 225-302, 224-353, I. P. C. and it was urged on their behalf on revision that a search under the Arms Act which gave rise to the alleged obstruction and use for criminal force on their part, was illegal inasmuch as it was made at night, and was not restricted to the procedure laid down in s. 25 of Arms Act, *held*, maintaining the convictions that a search by night is not illegal, and, in cases under the Arms Act, is not restricted to the procedure laid down in s. 25 of the Act. S. 25 of the Arms Act does not override s. 165 of the Crim. Pro. Code.

SHARAF KHAN.

144 P. L. R. 193

(5) The defendant, who did not, before causing the search of the plaintiff's house to be made, first record the grounds of his belief, could not justify the search under the provisions of the said Act. As there was no proceeding pending before him, the defendant was not a 'court' within the meaning of s. 94, Cr. P. C. and, therefore, the defendant could not direct a search to be made in his presence under the provisions of s. 165 of the Code. The search having been for the purpose of discovering arms generally, s. 165 of the Code did not apply. Conducting a search for arms is not an act done in the discharge of a judicial duty. Even where a defendant's *bona fide*, in conducting a search, is established, it does not release him from the obligation the law casts upon him, as being in supreme control of the search party, of seeing that the search was conducted in a proper and reasonable manner. In such a case, the damages should be substantial, and not merely normal.

When a statute creates a special right, but certain formalities have to be complied with, antecedent to the exercise of that right, a strict observance of the formalities is essential to the acquisition of that right. In a general search of arms under s. 25 the Magistrate holding such search must first record the grounds of his belief as directed therein, in order to avail himself of the protection of that section from the consequences of his action. A Magistrate can only conduct a search under s. 165, Cr. P. C. when he is competent to issue a search warrant under s. 96 of that Code which applies to the issue of a search warrant by the Court.

*Per Maclean C. J.*—When there are special provisions in an Act of the Legislature dealing with the case of a search for arms and laying down what are the conditions precedent to the making of such a search, and there are general provisions in another Act of the Legislature dealing with searches generally, and in point of fact the search was one made for arms, it ought—in the absence of evidence to show that the search was made under the general as opposed to the specific legislation, to be taken that the search was not made under the general provisions authorising searches and especially so, when the search was made by one who, in the circumstances, had no power of search under the general provisions as to searches. The scheme as regards searches under the Code of Criminal Procedure is as follows:—

(1) the Court can issue a search warrant under s. 96 ; or

(2) in lieu of that, the Magistrate may himself search under s. 195 ; and

(3) s. 165 deals with searches by a police-officer and not by a Magistrate. The duties of a Magistrate in this country are at once executive and judicial. If a search is conducted by a Magistrate in his executive capacity he cannot rely on Act XVIII of 1850 as a protection from the consequences of holding a search.

*Per Harrington J.*—Where a statute authorises the doing of an act which is *prima facie* a wrong to an individual the doer must comply strictly with the conditions imposed by the statute if he desires to rely on the statute as a justification for his act. A Magistrate cannot be said to be acting judicially in directing a search to be made without any proceeding having been instituted before him which he would be called on to determine judicially. The respondent though successful was not allowed his costs for pressing charges of malice against the appellant which were held to be unfounded.

BROJENDRA KISHORE RAI CHOWDHURI.

36 CAL. 433, 13 C. W. N. 456

(6) On appeal to the Privy Council, Their Lordship thought that there was no foundation for the suit ; Clarke's action under the circumstances was quite justified. The charge of personal misconduct advanced and reiterated without any shadow of proof deserves the severest reprobation. Their Lordships therefore, advised His Majesty that the appeal ought to be allowed, the order of the Court of Appeal discharged and the suit dismissed with costs.

BROJENDRA KISHORE RAI CHOWDHURI

39 CAL. 953, 16 C. W. N. 865

(7) *Vide* NISHI KANTA LAHIRI,—20 C. W. N. 732, note 60, under s. 19 (f), p. 63.

(8) Search for arms would be illegal if it was not ordered by a Magistrate in pursuance of s. 25.

NGA PO TEIN

U. B. R. 1892-1896 VOL. I, 1.

(9) *Vide* JAI SINGH,—44 P. R. 1917 CR. 156, note (17) under s. 19 (f), p. 67.

(10) A magistrate directing the issue of a warrant to search premises on information received that the owner or occupant thereof is in possession of firearms without a licence, acts as a Court and not merely as a public servant, whether he purports to act under the Cr. P. Code or under s. 25 of the Arms Act.

GADDAM PANCHALU

42 MAD. 46.

(11) Although the search is illegal, a person can be convicted if the evidence against him is conclusive. The ordinary meaning of "in the course of any proceedings instituted" in this section is in the course of any legal proceedings which have already begun. "In the presence of some officer" mean that there must be two persons, namely, the person making the search and the officer specially appointed.

KUTROO

A. I. R. 1925, ALL. 434, 47 ALL. 575.

(12) Where the police officer made a search under s. 165 Cr. P. C., and a stolen gun and cartridges were found ; held that the accused could be convicted under s. 20 and that the want of compliance with the provisions of s. 25 will not render conviction under ss. 19 and 20 illegal.

SHAIM LAL

A. I. R. 1927, -ALL. 516.

26. The Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

27. Governor General in Council may from time to time, by notification published in the Gazette of India :—

(a) exempt any person by name or in virtue of his office, or any classe of persons, or exclude any description of arms or ammunition, or withdraw any part of British India from the operation of any prohibition or directions contained in this Act; and

(b) cancel any such notification, and again subject the persons or things or the part of British India comprised therein to the operation of such prohibition or direction.

#### NOTES.

(1) For persons or classes of persons exempted—*Vide* Schedule I.

(2) For arms, ammunition or military stores excluded—*Vide* Schedules II and III.

(3) For parts of British India withdrawn—*Vide* Schedule IV.

(4) Exemption from the operation of the Act applies to the possession of a gun, so long as it is the property of the licensee and the mere fact that it happened at the time to be carried by a servant does not make the servant liable for not having himself license under the Act.

KALI NATH SINGH

3 C. W. N. 394.

(5) The Government of India have, under s. 27, the power of excluding any description of arms from the operation of the Act. But the Act does not empower the Government to define what is an arm within the meaning of the Act. If anything is not, in the opinion of the Court an arm within the meaning of the Act, it is immaterial whether the Government have or have not excluded it from the operation of the Act. *Dahs* of the kind described in the notification no. 827, dated the 15th June 1893 (*vide* entry 9(a), clause (v) of Schedule II) as excluded from the operation of the Act are not arms within the meaning of the Act and it is therefore unnecessary to exclude them from the operation of the Act. (NGA TUM BAW,—L. B. R. 1893-1900, 320,—note (46) under s. 4 on page 42, *ante*, overruled).]

NGA NE U

L. B. R. 1893-1900, 416.

(6) As the notification of the Government of India exempts all soldiers in the service of Her Majesty the Queen-Empress of India from the operation of certain provisions of s. 13-16 of the Arms Act, 1878, and as by the orders of the Government of India the term 'soldiers' includes reservists the possession of a double barrelled gun by the accused did not constitute an offence against the provisions of the Arms Act. There is no provision of law or of any rule having the force of law whereby the Army Regulations, India, can be held legally to restrict the powers exercised by the Governor-General in Council under s. 27 of the Arms Act.

BISHAN SINGH

1 P. R. 1902 CR., 5 P. L. R. 1902.

(7) The petitioner proceeded on leave from his regiment in April 1884 when he held the rank of a Havildar in the regiment. On 22nd June 1884 one A was found carrying a gun which he said belonged to the petitioner who, on being questioned about it, admitted that it was his, and said he had a pass from the Officer Commanding his detachment. At the trial it was found that the pass was not given by the Officer Commanding as alleged and the petitioner was accordingly convicted of having been in possession of arms without a licence. In appeal it was brought to notice that the petitioner has been promoted to the rank of Jamadar with retrospective effect from the 1st June 1884, and that, therefore, he fell within the exemption extended to commissioned officers of the Native Army. The Sessions Judge held that as petitioner was only a Havildar, so far as the public orders were concerned on the date of the offence, the fact of his subsequent promotion with retrospective effect was of no avail; *Held* that the petitioner having obtained a Commission on date prior to the 22nd June 1884, must be held to have been a Commissioned Officer on the date, the fact of the order promoting him bearing a later date notwithstanding, and that, therefore, he fell within one of the classes

exempted by the Government of India from the operation of the prohibition contained in ss. 14 and 15 of the Arms Act.

NARAIN SINGH

27 P. R. 1885 CR.

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of information to be given regarding reasonable excuse, the burden of proving which shall lie upon such person, give information of the same to the nearest Police officer or Magistrate, and

every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

29. Where an offence punishable under section 19, clause (f) has been committed within three months from the date on which this Act comes into force in any province, district or place to which section 32, clause 2 of Act XXXI of 1860, applies at such date, or where such an offence has been committed in any part of British India not being such a district, province, or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the District, or, in a Presidency town, of the Commissioner of Police.

#### NOTES.

(1) *Vide* notes under clause (f) of sec. 19.

(2) The case against the accused was found on facts which constituted an offence under the Arms Act as well as under section 30 of the Rangoon Police Act; *Held*, that the accused should not have been charged and convicted twice as for two offences under each of the said Act.

PO KA

3 L. B. R. 218

(3) *Vide* ISMAIL KHAN,—A. I. R. 1927, CAL. 721,—note (71) to sec. 19, page 64.

(4) *Vide* GHULAM NABI AND OTHERS,—A. I. R. 1928, PAT. 146,—note (79) to sec. 19 (f), page 65.

(5) In the United Provinces, an officer in charge of a Police Station is empowered to conduct a search. An officer who takes action under a particular section must be deemed to have full powers until the contrary is proved.

Whether the search was legal or legal arms have been found in the possession of the accused, no question of the legality of the search or otherwise can be raised by him. A. I. R. 1925, ALL. 434 *Rel. on*.

ABDUL GHAFUR

A. I. R. 1929 ALL. 68 (note (1.) on page 72)

(6) According to s. 29, sanction of the District Magistrate was necessary to prosecute a person under s. 19 (f) for possessing arms without a licence in the Aligarh District, only for three months after 15th March 1878 and not subsequently. A. I. R. 1926, ALL. 143 and A. I. R. 1929, ALL. 63 *Rel. on*.

ANGAD

A. I. R. 1929, ALL. 69

(7) *Vide* notes under sec. 30, page 75, *post*.

Section 28. The Rules issued by Local Governments under this section will be found at the end of the Indian Arms Rules, 1924. For page numbers *vide* "The List of Contents."

30. Where a search is to be made under the Code of Criminal Procedure, 1882, or the Presidency Magistrates Act, 1877, in the course of any proceedings instituted in respect of an offence punishable under section 19, clause (f), such search shall, notwithstanding any thing contained in the said Code or Act, be made in the presence of some officer specially appointed by name or in virtue of his office by the local Government in this behalf, and not otherwise.

Searches in the case of offences against section 19, clause (f), how conducted.

#### NOTES.

(1) *Sections 29 and 30.*—apply to proceedings instituted under s. 19 (f). When the case falls within s. 20, of the Act, ss. 29 and 30 do not apply either to the search for arms, to the arrest of the possessor or to the sending of the case for trial before a magistrate. As there are no special provisions governing cases under s. 20, the effect of s. 5 of the Cr. P. C. is that the police must act under that Code, which treats cases punishable with imprisonment for three years and upwards as cognizable. In cases to which s. 25 applies magistrates will have to be guided by it, but that section does not restrict the action of the police under the Cr. P. C. in cases which fall within s. 20 \*\*\* (Burma A. M., Edn. 1926, page 135.)

(2) In the Madras Presidency searches in respect of offences punishable under sections 19 (f) may be made in the presence of a Magistrate, an Inspector or Sub-Inspector of Police or of a head of village. In the taluks of Calicut, Earnad and Walavanad and Malabar district, searches in respect of offences punishable under section 19 (f) may be made in the presence of a Magistrate, an Inspector or sub-Inspector of a Police, station house officer or of a head of a village, (Notn. nos. 384 and 132 dated the 31st Aug. 1883 and the 14th March. 1885).

(3) In other provinces searches under this section are to be made in the presence of the following officers :—

**BOMBAY.**—Police officers of not lower rank than a Sub Inspector (Bombay Police Manual Edn. 1928, page 169.)

**BENGAL.**—Magistrate or a Police Officer not below the grade of sub-inspector (Notn. no. 10674-80 P. dated the 23rd Nov. 1914, and para 83 (g) Bengal L. R. and O).

**UNITED PROVINCES.**—Magistrates, Justices of the Peace, Superintendents, Assistant Superintendents and Deputy Superintendents of Police, Inspectors of Police, and officers-in-charge of reporting stations (G. O. No. 3264 dated the 9th Novr. 1907, and para 84 (b) of U. P. Rules).

**PUNJAB.**—Police-officers of rank not below that of officer in charge of a station. (Notn. no. 8408 dated the 5th March 1929).

**CENTRAL PROVINCES.**—Magistrates and Police Officers not below the rank of Sub-Inspector. (Notn. no. 8126 dated the 6th Nov. 1893).

**N. W. F. PROVINCES.**—All Police officers of rank not below that of officer in charge of a station (Notn. No. 7103 G., dated the 2nd May 1922.)

(4) *Vide BABURAM*—16 A. L. J. 721—note (28) to sec. 20 on pages 67-68.

(5) Search in this section refers to searches of house or premises occupied by suspected persons and not to searches of persons. Even if the search of the accused was illegal it made no difference to the fact that the accused was in illegal possession of arms.

**KHEM SINGH**

3 P. R. 1915 CR.

(6) • *Vide, KUTROO*—A. I. R. 1925, ALL. 434, note (12) to s. 25, page 72, ante).

(7) Entering a case in the case book and making out a charge is not institution of proceedings.

**ISMAIL KHAN**

A. I. R. 1927, CAL. 721

(8) A search undertaken solely for the purpose of discovering unlicensed arms should not be instituted anywhere without the express sanction of the District Magistrate previously obtained, and only in accordance with sec. 30 of this Act. If unlicensed arms are discovered in the course of a search legally conducted for



any other purpose, they should be sent to the District Magistrate for disposal under his orders. In that case the question whether a prosecution is to be instituted or not must, in view of the uncertainty which prevails as to the application of sec. 32, clause 2 of Act XXXI of 1860, (reproduced as a note to sec. 15, on page 51), on the date on which the Arms Act, 1878, came into force, be left to his discretion. (Bom. Pol. Man. Edn. 1928, pages 169-170).

31. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the Act :

Provided that no person shall be punished twice for the same offence.

#### NOTES.

(1) The accused was sentenced to a term of imprisonment for an offence under the Arms Act. The sentence was ordered to run concurrently with another sentence previously passed upon him under s. 123, Cr. P. C. *Held* that the sentence for the substantive offence must commence at once and cannot be postponed to take effect after the expiry of the period of imprisonment in default of giving security for good behaviour which the accused was undergoing at the date of the conviction, that s. 35, Cr. P. C. applies to sentences on conviction for offences at one trial and has no application to imprisonments under s. 123, Cr. P. C.

KANJI JOY SINGH.

5 BOM. L. R. 26

(2) The case against the accused was found on facts which constituted an offence under the Arms Act as well as under section 30 of the Rangoon Police Act. *Held* that the accused should not have been charged and convicted twice as for two offences under each of the said Act.

PO KA

3 L. B. R. 218.

(3) Where a case might properly have been tried under the Arms Act or the Explosives Act, but the public prosecutor did not ask the High Court to order a retrial, the High Court cannot convict the accused under either of those two enactments without a fresh trial.

JOSEPH KANGANI

8 M. L. T. 289

32. The local Government may from time to time, by notification in the local official Gazette, direct a census to be taken of all fire-arms in any local area, and empower any person by name or in virtue of his office to take such census.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

33. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

## THE FIRST SCHEDULE.—ENACTMENTS REPEALED.—(SEE SECTION 3)

Number and year.	Title.	Extent of Repeal.
XVIII of 1841 ...	An Act for consolidating and amending the enactments concerning the exportation of military stores.	So much as has not been repealed.
XXX of 1854 ...	An Act to provide for the levy of duties of Customs in the Arracan, Pegu, Martaban and Tenasserim Provinces.	In the preamble, the words "and that the exportation of munitions of war from any of these Provinces into foreign States should be prohibited." Section II.
XXXI of 1860 ...	An Act relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases.	So much as has not been repealed.
VI of 1866 ...	An Act to continue Act, No. XXXI of 1860, (relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same and to give power of disarming in certain cases) and for other purposes.	The whole.
III of 1872 ...	The Santhal Parganas Settlement Regulation.	So much of the Schedule as relates to Act XXXI of 1860 and Act VI of 1866.
* * *	* * *	* * *
XV of 1874 ...	An Act for declaring the local extent of certain enactments and for other purposes.	So much of the first Schedule as relates to Act XVIII of 1841.

## THE SECOND SCHEDULE—ARMS, ETC., LIABLE TO DUTY.

[Repealed by the Repealing and Amending Act, 1891 (Act XII of 1891.)]

\* Note.—The entry relating to Regulation IX of 1874 repealed by the Repealing and Amending Act VIII of 1930, *vide* Part IV of the Gazette of India, dated the 22nd March 1930, page 40.

THE INDIAN ARMS RULES, 1924 ; as amended by notifications published up to the 1st January 1931.

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15. Export by sea of arms, ammunition or military stores from and to certain ports.
16. Export by sea of arms, ammunition or military stores from certain ports to ports in States in India or foreign territory.
17. Export by land or river of arms, ammunition or military stores.
18. Export to Berar.
19. Delivery of export licences.

#### *Import and Re-export.*

20. Import and re-export by sea of arms, ammunition and military stores.

#### *Transport.*

21. Prohibition of transport by post of arms, ammunition or military stores within the province of Burma.
22. Prohibition of transport of arms, ammunition or military stores otherwise than under licence.
23. Restriction upon transport of cannon and certain other articles.
24. Transport of arms, ammunition or military stores.
25. Delivery of transport licences.

#### *Import, Transport and Re-export.*

26. Licence for import, transport and re-export of arms, ammunition and military stores.

#### *Export and Re-import.*

27. Licence for export and re-import of arms, ammunition and military stores.

*Manufacture and Sale.*

## RULES.

28. Manufacture, conversion, ~~sale~~ and keeping for sale of arms, ammunition or military stores.

*Keeping for safe custody.*

29. Licence to keep for safe ~~custody~~ fire-arms and ammunition.

*Possession.*

30. Restriction upon possession of cannon and certain other articles.  
 31. Possession of arms, ammunition or military stores.  
 32. Licence for the possession and use of fire-arms for purposes of target practice.

*Possession and Going Armed.*

33. Possession of arms and ammunition and going armed for sport, protection or display.  
 34. Temporary licence for possession of arms and ammunition and for going armed by *bona fide* traveller.  
 35. Possession of arms and ammunition and going armed for the destruction of wild animals.  
 36. Possession of arms and ammunition, and going armed for the protection of crops.  
 37. Going armed on a journey.

*Possession and Import or Transport.*

38. Possession by dealers of certain balled ammunition, with liberty to import.

*Applications for, and grant of, Licences.*

39. Previous sanction in certain cases.  
 40. Application for licences.  
 41. Form and language of licences.  
 42. Duration and renewal of licences.  
 43. Discretion and control of authorities empowered to grant licences.  
 44. Obligation to produce licences.  
 45. Production of arms.  
 46. Fees payable for licences.  
 47. Fees payable for duplicates.  
 48. Collection and refund of fees.

*Cancellation and Savings.*

49. Cancellation of the Indian Arms Rules, 1920.  
 The Schedules—I to VIII.

GOVERNMENT OF INDIA, HOME DEPARTMENT, NOTIFICATION, No. F. 829-1-22, DATED THE 3RD NOVEMBER, 1923,  
(with amendments up to the 1st January 1931.)

In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor-General in Council is pleased to make the following rules :—

**Short title.**

1 (1) These rules may be called the Indian Arms Rules, 1924.

(2) They shall come into force on the 1st January, 1924.

**Interpretation**

2. (1) In these rules, unless there is anything repugnant in the subject or context,—

“District Magistrate” means in the case of Aden, the Superintendent of Police, in the case of the suburbs of Calcutta, as defined in the Government of Bengal notification, dated the 21st September 1880, the Commissioner of Police, Calcutta, and, in cases where the Local Government so directs in respect of any district or part thereof, an Additional District Magistrate ;

“Form” means a Form as set out in Schedule VIII ; and

“the Act” means the Indian Arms Act, 1878.

(2) The General Clauses Act, 1897, shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of the interpretation of an Act of the Governor-General in Council.

[NOTE.—In exercise of the power conferred by clause (1) of rule 2, the Governor in Council, (Bihar and Orissa) is pleased to direct that the powers and duties of a “Magistrate of the District” shall be exercised and performed by the additional District Magistrate of Manbhum within the Dhanbad Sub-division of that District. (B. and O. notn. no. 4400 P, dated the 8th November, 1921)]

*Application of the Act.*

**Exemption, exclusion and withdrawal.**

3. (1) The persons and classes of persons, the arms and ammunition, and the parts of British India specified or described in Schedules I to IV are, respectively, exempted, excluded and withdrawn to the extent and subject to the conditions therein specified from the operations or prohibitions and directions contained in the Act :

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely :—

(a) they shall not be deemed to render lawful the import of arms or ammunition, save from Berar, or the transport within the

*Rule 2 (1).—*The words “Superintendent of Police” were substituted for the words “Assistant Political Resident” by H. D. notn. no. 21—XXXVI—30 dated the 12th Aug. 1930.

*Rule 3 (1) (b).—*The present clause (b) was substituted by H. D. notn. no. 21 LXXVI—24 dated the 16th March 1925.

Province of Burma of arms, ammunition or military stores, through the medium of the Post Office ;

(b) save in the case of persons included in entry (1) (b), entry (2) or entry (6) (e) of the said Schedule, any person so exempted shall register in such manner as the local Government may prescribe any firearm or ammunition for the same in respect of which he is exempted from the operation of any provision of the Act ;

(c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station ; and

(d) the Governor-General in Council may, by notification in the *Gazette of India*, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(2) Any person failing to comply with any condition of exemption set out in provisos (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

#### NOTES.

(1) The exemption conferred under this rule and entry 10 Schedule I shall cease to extend to Sati Muhammad son of Ghuman Lambarder, of Chak No. 246, Rakh Branch Lyallpur District, Punjab. (Notn. No. F. 21-XV-24 dated the 22nd April 1924.)

(2) Under clause (b) of sub-rule (1) of rule 3 of the Indian Arms Rules, 1924, the Govt. of the Punjab has directed that all persons who enjoy exemptions under Schedule I shall furnish to the District Magistrate of the District in which they reside, within three months from the date of this order, a list showing the number and description of fire-arms in their possession and shall thereafter inform the District Magistrate in writing of any increase or decrease in such number within one month from the date on which such increase or decrease takes place. Failure on the part of an exemptee to comply with this order will render him liable to the cancellation of his exemption. No fee shall be payable in respect of any communication made by an exemptee in accordance with the provisions of this order. (Punjab no 6820 dated the 5th March 1923).

(3) The Chief Comr. of Delhi has also issued similar orders in his notn. no. 1550 dated 13 March. 1925.

(4) In all cases in which arms are stolen, the question of the desirability of withdrawing any licence or exemption enjoyed by the possessor should be taken into consideration. (E. B. and A. no. 2705-09 G. dated the 29th April 1910, para. 91 of Bengal Rules and rule 83 of U. P. Rules.)

(5) District Magistrate should report for the orders of Government any case in which an exempted person either makes or permits improper use of his weapon, or persists in ignoring ordinary precautions for their safe custody or by his general behaviour proves himself unworthy of the privilege of exemption. (E. B. and A. 84-88 Pl. dated the 12th Dec. 1911, para. 35 of Bengal Rules and rule 16 of U. P. Rules).

4. For the purposes of the definition of "military stores" in section 4 of the Act all sections of the Act are

#### Extension.

extended throughout British India to all lead, sulphur and saltpetre.

#### Import.

Restriction upon  
import of cannon and  
certain other articles.

5. (1) A licence for the import of—

(a) cannon,

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Rule 3 (1) (b).—*Vide* the second footnote on page 80.

Rule 4.—*Vide* notes under Schedule II, appended to these Rules,

(b) articles designed for torpedo service,  
 (c) war-rockets, or  
 (d) machinery for the manufacture of arms or ammunition,  
 may be granted in Form I only by the Governor-General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent—

(a) where the articles are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

**Restriction upon  
import of arms, am-  
munition and military  
stores from Portu-  
guese India.**

6. A licence shall not be granted for the import of any arms, ammunition or military stores from Portuguese India :

Provided that nothing in this rule shall be deemed to limit or otherwise affect any power conferred by these rules to grant a licence for the import of ammunition which, in the opinion of the authority granting the licence, is intended in good faith for blasting purposes.

**Restriction upon  
import of certain  
rifles.**

7. (1) A licence shall not be granted for the import by sea or by river or land, save from Berar,—

(a) (i) of rifles of '303 or of '450 bore or of parts of or fittings for rifles of such bores or, save as otherwise provided by rule 38, of ammunition which can be fired from such rifles ; or

(ii) of rifles of any other bore containing the following components capable of use in rifles of '303 or of '450 bore, namely, actions, breech-blocks, breech-bolts, bodies, magazine cases, cocking pieces and breech-bolt heads ; or

(iii) of pistols or revolvers of '441, '455 or any intermediate bore, or of parts of or fittings for pistols or revolvers of such bores ; or save as otherwise provided by rule 38, of ammunition which can be fired from such pistols or revolvers ; or

(iv) of appliances, the object of which is the silencing of fire-arms ; or

(b) save with the previous sanction of the Governor-General in Council, of rifles, other than those specified in clause (a), or of parts of, or fittings for, rifles other than those so specified, or

(c) of any arms or ammunition through the medium of the Post Office.

(2) Nothing in clause (b) of sub-rule (1) shall be deemed to limit or otherwise affect any power conferred by these rules to grant, save as otherwise provided by rule 6, a licence for the import of

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*Rule 7 (1) (a).* The words and figures "pistols or revolvers of '451, '455 or any intermediate bore" were substituted for the words and figures "pistols and revolvers of '450 bore" by H. D. notn. no. 21-XXX-23 dated the 23rd. April 1924, and clauses (a) and (b) were subsequently revised by notn. No. F-21-53/27 dated the 11th April 1928.

rifles, or parts of or fittings for rifles, which, in the opinion of the authority granting the licence, are intended in good faith for sporting purposes.

#### NOTES.

(1) Attention is invited to proviso (1) to sub-rule (1) of rule 33 of the Indian Arms Rules, 1924. Several instances have come to the notice of the Government of India in which licensing officers have granted licences for the possession of weapons of prohibited bore without first satisfying themselves that such weapons have been lawfully imported into British India, in fact, before the weapons have been imported at all and such possession licences have been produced at Customs Houses, as the authority for importing the weapons which being of prohibited bore can only be imported under an import licence issued by the Governor-General in Council. There seems to be an impression among certain licensing officers that the prohibition against the import of such weapons does not apply to weapons required for personal use. This impression is quite unjustified and to correct it as desired by the Government of India, the local Government desires to impress on licensing officers the necessity of strict compliance with the provisions of the Arms Rules in this respect. The Government of India have instructed the Customs authorities in all cases of the kind referred to above to detain the weapon under section 6 of the Arms Act, pending a reference to them and the local Government. (H. D. no. F-21-XVII-25, dated the 9th Sept. 1925 and para. 58 A of Bengal Rule).

(2) The importation of rifles with "sub-target rifle machines" is strictly prohibited by the Government of India. (H. D. 2516-19, dated the 8th Nov. 1906 and U. P. G. O. no. 375-1, 3752-VI-660-D. I., dated the 23rd Nov. 1906 and para. 24 of U. P. Rules).

(3) When arms and ammunition are simultaneously imported, a licence under the Arms Act is necessary for the import of arms and another under the Explosives Act, for the import of ammunition, irrespective of the question whether a licence under the Arms Act has been obtained or not. [H. D. no. 4638 dated the 6th August 1901, para. 5 of Bengal Rules and rule 25 of U. P. Rules].

(4) Persons who are already in possession of rifles of '303 bore and of '450 bore and pistols and revolvers of '441, '455 or any intermediate bore and wish to obtain cartridges for their own use, are allowed to possess such ammunition to the extent of 200 rounds only for each class of rifle or revolver subject to the condition that they obtain under rule 33 of the Indian Arms Rules a licence which should be made over to the selected dealers referred to in rule 28(3). In the case of person or persons entitled to a free licence for arms a licence may be granted free. (H. D. nos. 606 and 867 dated the 20th Feb. 1901 and 30th March 1905 and para. 33A of Bengal Rules).

(5) Although the prohibition against the import of rifles of '303 bore became absolute on the 28th October 1906, in the case of rifles of '450 bore on the 1st May 1907, in the case of revolvers of '450 bore on the 1st January 1924, and in the case of '441, '455, or any intermediate bore, with effect from 1st August, 1924, it may be presumed that the import of rifles and revolvers of these bores was lawful where such rifles or revolvers have been in the possession of owners or of the persons from whom the present owners bought from before the introduction of the Rules of 1920, or in the case of revolvers of '450 bore from before the 1st Jan. 1924, and in the case of '441, '455 or any intermediate bore with effect from 1st August, 1924. A declaration to this effect from an applicant for a licence of such a weapon should generally entitle him to a licence. (H. D. nos. 2166 and 454-68, dated, respectively, the 11th September, 1906 and 14th Feb. 1907. and no. F-21-XXX-23 dated the 23rd April 1924.)

(6) In the case of weapons described as '450/400, '557/450, '500/450, the former of the two figures represent the size of the chamber and the latter figure the size of the bore. Consequently, while a weapon described as '450/400 is not of prohibited bore, weapon described as '577/450 or '500/450 and ammunition to fit them are subject to the restrictions imposed on weapons and ammunition of the prohibited bores. (H. D. no. 1343, dated the 9th June, 1911, U. P. no. 1653-VI-283, dated the 28th June, 1911 and note to para. 39 (ii) of U. P. Rules).

(7) An exempted person may, without an order or licence, import rifles of a non-sporting character through an agent—(i) when the arms are sent to him direct and (ii) if the arms are sent to an agent and the latter obtains a certificate from the exempted person that the imported arms are *bona-fide* his property and the agent



only clears them from the custom house and forwards them. [H. D. no. 22/1321, dated the 24th Aug. 1896, and no. 2531, the 9th Dec. 1897.]

(8) The sights of guns and rifles should be regarded as parts of arms within the meaning of the Indian Arms Act, 1878. The sights for rifles of '303 bore fall accordingly within the restriction imposed by rule (7) (i) (a) of the Indian Arms Rules, upon the importation of rifles, or parts of such rifles, of such bore. (H. D. no. 909, dated the 1st May 1911.)

(9) Appliances such as hand-grenades and riot pistols which are designed to render helpless for the time being a mob or an individual without causing permanent injury are "arms" within the meaning of the Act and their importation should not be allowed and that all applications for licences under the Arms Act for importation of weapons of this character should be refused. (H. D. no. F. 21-L. V-28 dated the 28th Feb. 1929.)

(10) It has been decided that licences shall not in future be required in case of re-importation of rifles of military patterns and pistols and revolvers of '441, '455 or any intermediate bore, and that it may be left to the Customs authorities to give necessary permission to re-import, a reference being made to the Local Government in doubtful cases. The following conditions have accordingly been laid down to govern cases of re-importation and, subject to them, the Customs authorities have discretion to admit weapons of the classes referred to:—

(i) that the examinations of the arms at the Customs House at the time of export shall be compulsory;

(ii) that, as a general rule, export passes giving a full description of the weapons to be exported shall be obtained from the Collector of Customs by the person exporting the weapons;

(iii) that these passes shall be accepted by the Collector of Customs as the best proof of export of the weapons being satisfactorily identified at the time of re-importation; and

(iv) that in cases in which such export passes have not been obtained, it will rest with the Collector of Customs personally to accept such other proof of export as he may consider reasonable and proper. (Burma Cir. No. 42 1903, based on orders of the Govt. of India no. 2752 dated the 20th July, 1903, H. D. no. F-21—LXVIII—24, dated the 8th Dec. 1924, para. 1A of Bengal Rules.

Import of arms,  
ammunition or mili-  
tary stores into  
certain ports.

8. Save as otherwise provided by rules 5 to 7, a licence may be granted in Form II for the import by sea—

(a) of arms, ammunition or military stores, at a Presidency-town or Rangoon—by the Commissioner of Police;

(b) of arms, ammunition or military stores, at the ports of [Calicut, Karachi, Cochin and Aden]—by the District Magistrate;

(c) of saltpetre or lead, at the ports of Akyab and Moulmein—by the District Magistrate;

(d) of sulphur in reasonable quantities, at the port of Tuticorin—by the Local Government on satisfactory proof that the sulphur is required in good faith for medicinal, manufacturing or agricultural purposes; and

(e) of sulphur at the port of Chittagong—by the District Magistrate on satisfactory proof that the sulphur is required in good faith for manufacturing or agricultural purposes.

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Rule 8. Clause (b) was amended by notn. no. 21-62-27 dated the 3rd. Nov. 1927, and clause (e) was added by notn. no. F-21-LXVIII-28 dated the 8th Dec. 1928.

Provided that all arms, ammunition or military stores imported into Aden shall be landed at the Abkari Pier at Tawahi only, and removed thence by the importer to such Government warehouse as the Political Resident may appoint in that behalf:

[Provided further that any consignment of sulphur imported at Chittagong and destined for a place outside that town shall be unloaded under the supervision of Customs officers direct from the ship into railway wagons, which shall be rivetted and sealed on the jetty, and shall be despatched direct to its destination without further handling or transhipment.]

[NOTE.—The importation of arms and ammunition from outside India direct to the port of Chittagong is not permissible under the rules. (Bengal memo. no. 2247 pl. dated the 25th June 1929 and para. IC. of Bengal Rules)]

**Import of arms, ammunition or military stores by sea from Madras, Rangoon or Bombay into certain ports.**

9. Save as otherwise provided by rules 5 to 7, a licence for the import by sea of arms, ammunition or military stores—

(a) from the port of Madras into the ports of Tuticorin, Bimlipatam, Cocanada, Negapatam, Mangalore, Gopalpore, Vizagapatam, Pamban, or Masulipatam, or

(b) from the port of Rangoon into the ports of Akyab, Moulmein, Sandoway, Kyaukpyu, Tavoy, Mergui, or Victoria Point, or

(c) from the port of Bombay into the ports of Mangalore, may be granted in Form II by the District Magistrate of the district in which the port of import is situated.

**Import by land or river of arms, ammunition or military stores.**

10. (1) Save as otherwise provided by rules 5 to 7, a licence for the import by land or river of arms, ammunition or military stores may be granted in Form III,—

(a) Where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon—by the Commissioner of police, or

(b) where they are consigned to any other place—by the District Magistrate of the district in which such place is situated.

(2) Such a licence may be granted for the import of arms which—

(a) belong to any person who resides in a State in India and is exempted under Schedule I from the necessity of taking out a licence for going armed with, or for possessing, such arms, and

(b) are imported solely for the purpose of repair, by the Political Officer for such State; and such licence shall also cover the re-export of such arms to the State from which they were imported.

*Rule (8).* The second proviso was added by notn. no. LXVIII-28 dated the 8th Dec. 1928

*Rule (9).* Clauses (a) and (c) were amended by H. D. notn. no. F-21-62-27, dated the 3rd November 1927.

(3) Where the arms, ammunition or stores are imported from a State in India otherwise than under sub-rule (2), a copy of the licence shall forthwith be sent to the Political Officer for such State.

(4) Where the arms, ammunition or stores are imported by road or river from elsewhere than Berar and are consigned to a district not on the frontier of British India, a copy of the licence shall forthwith be sent to the District Magistrate of the district into which they cross such frontier; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to be taken out of the district.

(5) (a) Where the arms, ammunition or stores are imported by land or river from Berar under a licence, the importer shall deliver the licence, within six days of the arrival of the consignment at its destination,—

(i) in a Presidency-town or Rangoon—to the Commissioner of Police, or

(ii) in any other place—to the District Magistrate of the district in which the place of destination is situated, or such other Magistrate as the District Magistrate may appoint for the purpose.

(b) Any officer to whom a licence is delivered under clause (a) shall satisfy himself—

(i) that the arms, ammunition or military stores correspond with the description given in the licence, and

(ii) that any deficiency is properly accounted for,

and any subordinate Magistrate to whom a licence is delivered under sub-clause (ii) of that clause shall forward it to the district Magistrate.

(6) Where the arms, ammunition or stores are imported by rail, a copy of the licence shall forthwith be sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned.

11. A certified copy of a licence to export from Berar into British India arms, ammunition or military stores granted under the Berar Arms Rules, 1924, shall be deemed to be a licence for import into British India granted under these rules.

12. (1) The railway authorities to whom a copy of a licence has been sent under sub-rule (6) of rule 10 shall require the consignee to produce the original licence and shall satisfy themselves—

(a) that the arms, ammunition or stores claimed by him correspond with the description given in such licence, and

(b) that such licence is identical in substance with the copy sent to them.

(2) Where, in any case referred to in sub-rule (1)—

(a) the consignee fails to produce the original licence, or

(b) the arms, ammunition or stores claimed by him do not correspond with the description given in such licence, or

(c) the licence is not identical in substance with the copy sent to the railway authorities,

such authorities shall not deliver the consignment and shall forthwith inform the nearest Magistrate.

**Production and delivery of import licences.** (1) The consignee of arms, ammunition or military stores imported under a licence from elsewhere than Berar shall—

(a) where the consignment crosses the frontier by land or river, produce the licence within six days of such crossing before the District Magistrate of the district into which the consignment so crosses, or before such other officer as the District Magistrate may appoint in that behalf; and

(b) in any case in which the consignment is imported by land or river, deliver the licence within six days of the arrival of such consignment at its destination—

(i) in a Presidency-town or Rangoon—to the Commissioner of Police, or

(ii) in any other place—to the District Magistrate of the district in which such place is situated.

(2) Every officer before whom a licence is produced or to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence; and

(b) that any deficiency is properly accounted for.

### *Export.*

**Restriction upon export by sea of cannon and certain rifles.**

14. (1) A licence for the export by sea of—

(a) cannon, or

(b) rifles, or parts of or fittings for rifles,

may be granted in Form IV or Form V only by, or with the previous sanction of, the Governor-General in Council:

Provided that nothing in this rule shall be deemed to limit or otherwise affect any power conferred by these rules to grant a licence for the export by sea of rifles, or parts of or fittings of rifles, which, in the opinion of the authority granting the licence, are intended in good faith for sporting purposes.

**Export by sea of arms, ammunition or military stores from and to certain ports.**

15. (1) Subject to the provisions of rule 14, a licence for the export by sea of arms, ammunition or military stores may be granted in Form IV—

(a) at a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) at the port of [Calicut, Karachi, Dhanushkodi, Tuticorin or Aden]—by the District Magistrate.

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*Rule 15, (1) (b).* The words within brackets were substituted for the words "Calicut, Karachi or Aden" by notn. no. F, 21 XL—II-25 dated the 14th Sep. 1925.

(2) Save as otherwise provided in sub-rule (3), every licence granted under sub-rule (1) shall be for export either—

(a) to such one of the ports specified in clause (a) or clause (b) of sub-rule (1), or

(b) in the case of export from the port of Madras—to such one of the ports mentioned in clause (a) of rule 9, or

(c) in the case of export from the port of Rangoon—to such one of the ports mentioned in clause (b) of rule 9, or

(d) in the case of export from the port of Bombay—to such one of the ports mentioned in clause (c) of rule 9, or

(e) to such other places in his Majesty's dominions outside India,

as may be specified or described in the licence.

(3) A licence may be granted at any of the ports mentioned in clause (a) or clause (b) of sub-rule (1) for the export by sea of saltpetre or lead to the ports of Akyab or Moulmein.

(4) A copy of every licence of the nature referred to in clauses (a), (b), (c) and (d) of sub-rule (2) and in sub-rule (3) shall forthwith be sent—

(a) where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

**Export by sea of arms, ammunition or military stores from certain ports to ports in States in India or foreign territory.**

16. (1) (a) A licence for the export by sea of arms, ammunition or military stores from any of the ports of Madras, Bombay, Calcutta, Rangoon, Calicut, Karachi or Aden to any port in a State in India or other foreign territory may be granted in Form V by the Governor-General in Council :

Provided that a licence shall not be granted for export to a port on the sea-board of Arabia other than a port in the political charge of the Political Resident at Aden or of the Political Resident in the Persian Gulf.

(b) A licence for the export by sea of arms (other than arms in respect of which the restriction imposed by rule 14 applies), ammunition or military stores may be granted in Form V by any of the officers specified in the first column of Schedule V when the arms, ammunition or stores are to be exported from a port specified in the corresponding entry of the second column to a port specified in the corresponding entry of the third column thereof, subject in each case to the conditions specified in the fourth column.

(2) A copy of every licence issued under this rule for the export of arms, ammunition or military stores to any port in a State in India or to any port in the political charge of the Political Resident at Aden or of the Political Resident in the Persian Gulf

shall forthwith be sent by the authority granting it to the Political Officer or the Political Resident concerned.

(3) The authority granting a licence under this rule shall also send a copy of such licence to the agent or master of the vessel by which it is intended that the arms, ammunition or military stores covered by the licence shall be shipped, and such agent or master shall not receive for despatch any case or package containing arms, ammunition or military stores unless such case or package is accompanied by the original licence, and shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in such licence, and

(b) that such licence is identical in substance with the copy sent to him.

(4) Where in any case referred to in sub-rule (3)—

(a) the case or package is not accompanied by the original licence, or

(b) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(c) the licence is not identical in substance with the copy sent to him,

such agent or master shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

<p><b>Export by land or river of arms, ammunition or military stores.</b></p>	<p>17. (1) A licence for the export by land or river of arms, ammunition or military stores to any place outside British India may be granted in Form VI,—</p>
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(a) by the Governor-General in Council, or

(b) by any of the officers specified in the first column of Schedule VI when the arms, ammunition or stores are to be exported to a place specified in the corresponding entry of the second column, subject in each case to the conditions specified in the third column.

(2) Any licence for the export by land or river of arms, ammunition or military stores to a State in India in political relations with a Local Government may be granted under the signature of a Secretary to such Government, or by such other officer as may be empowered by the Governor-General in Council in that behalf.

(3) Where any arms, ammunition or stores are exported to a State in India under a licence granted under this rule by any authority other than the Political Officer for such State, a copy of such licence shall forthwith be sent to such Political Officer.

(4) Where the arms, ammunition or stores are exported by road or river, a copy of the licence shall forthwith be sent to the District Magistrate of the District out of which they cross the frontier of British India; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(5) (a) Where the arms, ammunition or stores are exported by rail, a copy of the licence shall forthwith be sent by the authority granting it,—

(i) in the case of a consignment despatched from a Presidency-town or Rangoon—to the Commissioner of Police, and

(ii) in all other cases—to the District Magistrate of the district from which the consignment is to be despatched.

(b) The Commissioner of Police or District Magistrate shall forthwith send a copy to the railway authorities at the place from which the consignment is to be despatched; and the railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original licence, and shall satisfy themselves—

(i) that the arms, ammunition or stores correspond with the description given in such licence, and

(ii) that such licence is identical in substance with the copy sent to them.

(c) Where in any case referred to in clause (b)—

(i) the case or package is not accompanied by the original licence, or

(ii) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(iii) the licence is not identical in substance with the copy sent to them,

such authority shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

(d) Where the arms, ammunition or stores are exported by rail to Berar, a copy of the licence shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station.

#### Export to Berar.

18. A certified copy of a licence to import from British India into Berar, arms, ammunition or military stores, granted under the Berar Arms Rules, 1924, shall be deemed to be a licence for export from British India granted under these rules.

19. (1) Where any arms, ammunition or military store are exported by road or river, the licence shall, within six days of the arrival of the consignment in the district out of which it is to cross the frontier and before it so crosses, be delivered to the District Magistrate of such district or to such other officer as the District Magistrate may appoint for this purpose.

(2) Every officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for.

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*Rule 18.*—The figures “1924” were substituted for the figures “1920” by H.D. notn. no. 21-XL-24 dated the 16th July, 1924.

## NOTES.

(1) No licence should be granted under rule 17 (2) (Form VI), authorising the export of cannon, without a previous reference to the Government of India as it is not intended to alter the existing practice in this respect (Bengal No. 4523-27 P. J. dated the 31st Dec. 1919, and para. 14 of Bengal Rules, U. P. No. 6448-VI-844 dated the 31st Dec. 1919, and para. 30 of the U. P. Rules.)

(2) In the case of applications for licences for the export of arms and ammunition to Indian States from Calcutta received from persons of either of the following categories :—

(1) Ruling princes and chiefs ;

(2) Members of their families, nobles and officials of States who have been designated in this behalf by the Local Government or Political officer concerned,

The Deputy Commissioner of Police, Calcutta, should issue the licences in accordance with the rules with as little delay as possible. Copies of such licences, should be sent to Political officer in due course, as provided by rule 17 (3) of the Indian Arms Rules, 1924. (For. D. no 293-G. dated the 5th Feb. 1920, and para. 13 of Bengal Rules.)

(3) Under section 1 (b) of the Indian Arms Act, no licence is necessary for the export of arms, ammunition or military stores issued to Indian States from British arsenal under the orders of Government. Each consignment, however, should be covered by a certificate signed by the officer in charge of the arsenal to the effect that it is exported by order of Government under section 1 (b) of the Arms Act. (For. D. no. 1816-L., dated the 2nd June, 1890, and no. 293-G., dated the 5th Feb. 1920.)

(4) All Political officers are authorised to grant licences for the export of arms and ammunition from British territory, in reasonable quantities, for personal use to the Indian Chiefs under their charge and to any of the nobles and high officials of the Indian States to which they are accredited, whom they may consider entitled to this privilege. Such licences will, of course, be granted after due enquiry, where necessary, and it will be within the discretion of the Local Government to whom the Political officers are subordinate to decide whether in particular cases a previous reference to them should not be required. The object of this rule is to remove any unnecessary difficulties in the way of the supply to chiefs and other persons of rank of ordinary sporting ammunition. (For. D. no. 1171 P. dated the 31st Jan. 1880 and no. 759-G., dated the 20th Sep. 1882, and para. 28 of the U. P. Rules.)

(5) No licence is required for the importation into British India of arms and ammunition required for the Govt. of Afghanistan. The procedure to be followed is that before a consignment of arms, etc., the property of the Afghan Govt. is given passage through an Indian port the Afghan Foreign Minister hands over a detailed list of such consignment to the British Minister at Kabul, who communicates the particulars to the Govt. of India, and if the transaction is in order, the Govt. of India pass them in their turn to the Maritime Govt. concerned for disposal. On arrival, the consignment is checked by the Customs authorities in the ordinary manner and passage is given, if its details tally with the particulars already furnished. In such cases no export licence will be required for the removal of the arms, etc., composing the consignment from British India. (For. and Pol. D. no. 1287/147 Fr. dated the 5th Dec. 1922, and para 9 A. of the Bengal Rules.)

(6) In respect of arms and ammunitions required for the Nepal Govt. no licence is required for their importation into British India and no export licence is required for their despatch to Nepal. Consignments received in Calcutta are checked by the Customs authorities against the list of arms received from the Govt. of India and the packages are sealed in the presence of a Customs Examiner. On receipt of a requisition from the clearing agents, the Comr. of Police, Calcutta, furnishes an escort between the Customs House and the Railway Station. Consignments are booked by the railway authorities on production of a certificate from the Collector of Customs that the arms, etc., have been imported for the Govt. of Nepal. A description of the marks on each package, sufficient to enable it to be readily identified and a general statement of contents will be noted by the Collector of Customs on the certificate. (Bengal letter no. 2564 Pl. dated the 10th July 1929 and para. 9B. of the Bengal Rules.)



(7) No licence is required for the export of swords and sword-sticks to Indian States. (For. and Pol. D. letter no. F. 149 G. dated 4th June 1929, and note to para. 9 A. of the Bengal Rules.)

(8) In order that a uniform policy may be followed in respect of grant of licences for the possession, purchase and export of arms and ammunition by Ruling Princes and Chiefs and their subjects in the States and in British India, Political Officers should consult Durbars and explain and secure their co-operation in all matters of policy. (For. D. letter no. F. 363-G.—29 dated the 28th Jany. 1930, and para 37 A. of the Bengal Rules.)

(9) It is a matter of the greatest importance that effectual measures should be taken to prevent arms exported for retail sale in an Indian State from getting into the hands of persons unfit to possess such weapons ; but after a licence for a consignment has been given, it is practically impossible to secure any control over the ultimate disposal of the arms covered by it. It is not, therefore, thought advisable that the export of firearms for sale in Indian States should ordinarily be permitted, except under the restriction mentioned below.

Political Officers should be instructed not to give in future certificates of their consent to intending importers of arms without first satisfying themselves that the arms are actually required for the personal use of some responsible and respectable person who would be entitled to possess them under the Arms Act Rules if he were in British India. [For D. no. 2735 I. dated the 8th July, 1889.]

### *Import and Re-export.*

20. Where a vessel bound for a port other than a port in British India calls at any port in British India in the course of its voyage, and there remains for a period exceeding forty-eight hours, any arms, ammunition or military stores in the possession of any passenger not exempted from liability to take out a licence in respect of such possession, shall be delivered by him to the Customs-Collector to be detained until the departure by sea of such passenger, and it shall not be necessary for such passenger to take out any licence in respect of arms, ammunition or military stores so delivered and detained.

**Import and re-export by sea of arms, ammunition and military stores.**

### *Transport.*

**Prohibition of transport by post of arms, ammunition or military stores within the province of Burma.**

21. The transmission by post within the Province of Burma, of arms, ammunition or military stores is prohibited.

**Prohibition of transport of arms, ammunition or military stores otherwise than under licence.**

22. (1) Save as herein otherwise provided the transport of arms, ammunition or military stores is prohibited over the whole of British India, except under a licence and to the extent and in the manner permitted by such licence.

(2) Nothing in sub-rule (1) shall be deemed to apply—

(a) to arms and ammunition transported personally or as personal luggage in reasonable quantities for his own use by any person lawfully entitled to possess arms or go armed ;

or, subject to the provisions of rule 39 and save in the case of arms or ammunition consigned to any place in the province of Ajmer-Merwara from outside the province,

(b) to arms, ammunition or military stores which are covered by a licence for their export or import and are being transported by a licensed dealer in accordance with such licence—

(i) from the place of despatch in British India to the port or other place of export or from the port or other place of import to the place of destination; or

(ii) by transshipment in the port of import for re-export by sea; or

(c) to arms, ammunition or military stores transported—

(i) by any person licensed to possess such articles or exempted from the liability to obtain such licence, where such articles are transported in reasonable quantities for his own use from the premises of a licensed dealer, or are transported for purpose of examination or repair to or from any such premises, or are transported to any other person so licensed or exempted as aforesaid, or

(ii) by a licensed dealer, where such articles are transported in a case or package legibly addressed to such a person as is referred to in sub-clause (i), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use.

**Restriction upon  
transport of cannon  
and certain other  
articles**

23. (1) A licence for the transport of—

(a) cannon :

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition, may be granted in Form I only by the Governor-General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent—

(a) where the articles are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

24. (1) Save as otherwise provided by rule 23, and subject to the provisions of sub-rule (2) of rule 39, a licence for the transport of arms, ammunition or military stores may be granted in Form VII,—

(a) where the arms, ammunition or stores are consigned from a Presidency-town or Rangoon—by the Commissioner of Police ;

(b) where they are consigned from any other place—by the District Magistrate of the district in which such place is situated.

(2) A copy of every licence granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it shall forthwith be sent—

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*Rule 22, (2) (c). Clause (i) was substituted by H. D. notn. no. F.—21-XVIII—24 dated the 11th June 1924.*

(a) where the arms, ammunition or stores are consigned to a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are consigned to any other place—to the District Magistrate of the district in which such place is situated.

(3) A copy of every licence granted under sub-rule (1) by a District Magistrate for transport within the limits of his district shall forthwith be sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the licence shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not be taken from the railway premises unless the railway police, or, if there are no railway police, the railway authorities, have satisfied themselves that the arms, ammunition or stores correspond with the description given in the licence.

#### NOTES.

(1) See notes under section 10 of the Act, on page 47, *ante*.

(2) No licence is required for the removal of ammunition from one magazine or warehouse to another in the same locality (U. P. no. 38-2955, dated the 9th Nov. 1888, and para. 20 of the U. P. Rules.)

(3) No licence is required for the transport of arms and ammunition to their place of destination after import when they are despatched forthwith in accordance with condition 3 (b) of licence Form II, as rule 22 (2) (b) (1) exempts arms and ammunition in this case from the requirement of a transport licence. If the dealer, however, imports arms or ammunition and does not despatch them forthwith to their places of destination but keeps them in his shop or a warehouse and sells them after some time, a separate licence in Form VII will be required for the despatch of arms or ammunition for which a fee of Rs. 10 is payable. (Bengal Rules, para. 2.)

(4) A dealer should not be given a licence in Form VII to cover the transport of arms and ammunition which are not even in his possession at the time the licence is issued; nor should he be allowed to spread the despatch of the arms covered by the licence over an indefinite period; under rule 42 (2) of the I. A. Rules 1924, the licence should not, except for special reasons, be granted for a period longer than twice the time occupied in the journey by the route indicated on the licence. On the other hand it is not necessary that he should despatch all the articles specified in the licence in one lot; but he may only despatch under one licence articles which are part of one consignment included in one transaction and sent off at or about the same time. In other words licences should be given only for definite consignments which are ready or almost ready for despatch at the time the licence is issued. Under rule 24 (4) each way-bill or invoice must be accompanied by a copy of the transport licence and it will be for the consignors to supply the railways with the necessary copies. (Bengal No. 14813 P., dated the 17th Nov. 1917, and para. 15 of the Bengal Rules.)

(5) Under Rule 22(2) (b) (i), a licence is no longer required for the transport of arms and ammunition to their place of destination immediately after import in accordance with condition 3 (b) of the licence to import in Form II. If the arms or ammunition are kept however, for some time in a warehouse or shop before despatch, a licence to transport in Form VII is required. (Bengal Rules, para 16.)

25. (1) The consignee of any arms, ammunition or military stores transported by land or river under a licence, shall deliver the licence within six days of the arrival of the consignment at its destination—

**Delivery of transport licences.**

(a) in a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) in any other place—to the District Magistrate of the district in which the place of destination is situated, or to such other Magistrate as the District Magistrate may appoint in that behalf.

(2) Any officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or military stores correspond with the descriptions given in the licence, and

(b) that any deficiency is properly accounted for, and any subordinate Magistrate, to whom a licence is delivered under clause (b) of that sub-rule, shall forward it to the District Magistrate.

*Import, Transport and Re-export.*

Licence for import, transport and re-export of arms, ammunition and military stores.

26. (1) Save as otherwise provided by rules 5, 7 and 23, a comprehensive licence for the import by sea, land or river, of arms, ammunition or military stores and for their re-export may be granted in Form VIII—

(a) where the arms, ammunition or stores are consigned from one Indian State to another separated therefrom by British Indian territory—by the Political Officer for either State,

(b) where they are consigned from any place in one Indian State to any other place in the same State separated therefrom by British Indian territory—by the Political Officer of such State :

Provided that nothing in this sub-rule shall apply to import from, or export to, Berar.

(2) (a) Where under the authority of the licence granted under sub-rule (1), the arms, ammunition or stores are to be transported across British Indian territory entirely by rail, a copy of the licence shall forthwith be sent by the Political Officer granting it to the other Political Officer concerned, and to the railway authorities at the place from which the consignment is to be despatched.

(b) The railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original licence and shall satisfy themselves—

(i) that the arms, ammunition or stores correspond with the description given in such licence, and

(ii) that such licence is identical with the copy sent to them.

(c) Where in any case—

(i) the consignment is not accompanied by the original licence, or

(ii) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(iii) the licence is not identical with the copy sent to them,

the railway authorities shall not receive the consignment for despatch and shall forthwith inform the Political officer granting the licence.

(3) Where under the authority of a licence granted under sub-rule (1) arms, ammunition or stores are to be transported across British Indian territory and re-exported by road or river—

(i) a copy of the licence shall forthwith be sent by the Political Officer granting it to the District Magistrate of the district out of which the consignment is to cross the frontier of British India into the State to which it is exported; and

(ii) the licence shall within six days of the arrival of the consignment in the district out of which it is to cross the frontier of British India into the State to which it is exported, and before it so crosses, be delivered to the District Magistrate of such district, or to such other officer as the District Magistrate may appoint for this purpose.

(4) Every officer to whom a licence is delivered under clause (ii) of sub-rule (3) shall satisfy himself—

(a) that such licence is identical in substance with the copy sent to him under clause (i) of that sub-rule, or to the District Magistrate in case he is not the District Magistrate himself;

(b) that the arms, ammunition or stores correspond with the description given in the licence; and

(c) that any deficiency is properly accounted for.

*Notes.*—See note (8) and (9) to Rule 19, page 92 *ante*.

### *Export and Re-import.*

27. (1) Save as otherwise provided by rules 5 and 7, a comprehensive licence for the export by sea, land or river of arms, ammunition or military stores and for their re-import where such arms, ammunition or stores are consigned from any place in British India to any other place in British India separated therefrom by Indian State territory, may be granted in form VIII by the licensing authority of either such place, [that is to say, by the authority empowered under these rules to grant a licence for the export of such arms, ammunition or military stores when consigned from, or, as the case may be, for their import, when consigned to, such place].

Provided that nothing in this sub-rule shall apply to export to, or import, from Berar.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent by the licensing authority granting it to the other licensing authority concerned and also—

(a) Where the arms, ammunition or stores are to be transported entirely by rail to the railway authorities at the place from which the consignment is to be despatched, and;

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*Rule 27 (1).* The words within brackets were added by addenda and corrigenda dated the 9th January 1924, *vide* also notn. no. 829-1-23 dated 27th Dec. 1923.

(b) Where the arms, ammunition or stores are to be transported by road or river to the District Magistrate of the district into which the consignment is to cross the frontier of British India on re-importation.

(3) The railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original licence and shall satisfy themselves:—

(a) that the arms, ammunition or stores correspond with the description given in such licence, and

(b) that such licence is identical with the copy sent to them.

(4) Where in any case—

(a) the consignment is not accompanied by the original licence, or

(b) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(c) the licence is not identical with the copy sent to them, the railway authorities shall not receive the consignment for despatch and shall forthwith inform the nearest Magistrate having jurisdiction at the place where the consignment is tendered for despatch.

*Note* :—*Vide* Govt. of India orders, contained in No. F. 21—LXVIII—24 dated the 8th Dec. 1924, in notes (9—12) to Rule 7—regarding re-importation of rifles of military pattern, page 82 *ante*.

#### *Manufacture and sale.*

28. (1) A licence—

**Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.**

(a) in Form IX to manufacture, convert, sell, or

(b) in Form X to sell and keep for sale any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted—

(i) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(ii) in any other place—by the District Magistrate.

(2) A licence—

(a) in Form XI to manufacture, convert, sell or keep for sale, or

(b) in Form XII to sell or keep for sale,

breech-loading rifles, parts of breech-loading rifles, rifle-ammunition or military stores for rifles shall be granted only—

(i) by the Local Government, or

(ii) in Sind, by the Commissioner in Sind.

(3) The Local Government or, in Sind, the Commissioner in Sind may, by licences granted by it or him under this rule, authorize

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Rule 28 (2) (b). The words "parts of breech-loading rifles" were added by notn. no. F.21.XIII-26 dated the 22nd July 1926, and in sub-rule (3) (on page '8) the words "pistols and revolvers of '441, '455 or any intermediate bore" were substituted for the words "pistols and revolvers of '450 bore" by notn. no. F.21-XXX-23 dated the 23rd. April. 1924.

selected dealers to sell and keep for sale a specified amount of ammunition for rifles of '303 or of '450 bore and for pistols and revolvers of '441, '455 or any intermediate bore,

Provided that the licensee shall not sell from his stock to any person who does not hold—

(a) a licence to possess such ammunition, or

(b) a licence for the export of balled ammunition to a State in India granted by a Political Officer empowered, under sub-rule (1) of rule 16 or sub-rule (1) of rule 17, to grant licences for export to such State.

(4) Every Magistrate and every Police-officer not below the rank of Inspector, or, if the Local Government so directs, of Sub-Inspector, may, within the local limits of his authority,—

(a) enter and inspect any premises in which arms, ammunition or military stores are manufactured, converted, sold, or kept for sale, and

(b) examine the stock and accounts of receipts and sale or arms, ammunition or military stores.

#### NOTES.

(1) The selected dealers referred to, shall not be permitted to keep in stock at any one time more than 25000 rounds, collectively, of the ammunition for rifles of prohibited bores and their books will be open to inspection and their sales liable to comparison with the number of licences for possession issued to individuals. This 25000 rounds mentioned is not an annual quantity, but the maximum quantity of ammunition of the prohibited bores which any dealer can be permitted to hold at any one time. This quantity is the collective total of the three kinds of ammunition. (H. D. letters no. 806, dated the 20th Feb. 1901 and no. 5672, dated the 18th Oct. 1901.)

(2) Dealers in arms will be responsible if they merely rely on such inquiries to satisfy themselves of the legal authority of any intending purchasers. They are similarly not properly discharging their obligation if they send by post arms to any person who professes himself entitled to possess them. They must make due inquiries, in all cases of sales, and must in all cases where they have not already sufficient proof that the purchaser is legally entitled to purchase, obtain sufficient proof by further inquiry. (H. D. letter no. 2964, dated the 11th Aug. 1909, and Madras R. and O.)

(3) Whenever a licence to carry arms is given to any person who appears to be travelling *bona fide* for the purpose of trade, a note should be made on the licence of the number of persons accompanying such person, and he should be given distinctly to understand that should his followers be augmented at any time, or should he join any other company or gang, his licence would be at once liable to cancellation [U. P. no. 85, dated the 12th July, 1875, No. 2550 VI—827, dated the 17th Dec. 1886 and para. 46 of the U. P. Rules.]

(4) The weapons of American manufacture known as the "Ithaca Auto and Burglar gun" and "H and R. Handy gun" should be classed as pistols and all restrictions in force with regard to revolvers and pistols should apply to these weapons which may therefore be lawfully possessed only by persons holding pistol and revolver licences (H. D. letters nos. F-21-58-27 and F-21-XXXIV-29 dated respectively the 20th Oct. 1927 and 9th July 1929).

(5) Licences in forms IX and X should not include revolvers manufactured out of India or magazine pistols unless the licensees have secured special authorization required by condition 11 of the forms. (H. D. no. 21-VII-2 dated the 12th March 1929, and para. 66 A. of the Bengal Rules.)

(6) Exempted persons who are already in possession of rifles of '303 or of '450 bore and pistols and revolvers of '441, '455 or any intermediate bore and require to obtain ammunition for their use should take out licences, under proviso 28(3) of this rule, which will be granted free of licence fee. (H. D. no. 905 dated the 20th February 1901 and para. 33A of the Bengal Rules.)

*Keeping for safe custody.*

29. A licence to keep for safe custody fire-arms and ammunition deposited by their owners for that purpose may be granted in Form XIII to the holder of a licence in Form IX, Form X, Form XI, or Form XII—

(a) in a Presidency town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

*Possession.*

30. (1) A licence for the possession of—

Restriction upon possession of cannon and certain other articles.	(a) cannon,
	(b) articles designed for torpedo service,
	(c) war rockets, or
	(d) machinery for the manufacture of arms or ammunition

may be granted in Form I only by the Governor-General in Council.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent—

(a) where the articles are to be kept in a Presidency-town or Rangoon—to the Commissioner of Police, or

(b) where they are to be kept in any other place—to the District Magistrate of the district in which such place is situated.

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*NOTES.*

(1) A licence granted to a Maharaja for the possession of cannon should be regarded as a licence granted in favour personally of the Maharaja who holds the title at the time the licence is issued, and it is necessary for the licence to be renewed in the case of each succeeding title-holder, (H. D. letter No. 1490, dated the 2nd July 1898).

(2) No fee is prescribed for the licence to import, export, transport or possess "cannon" *Vide* (Licence Form no. I.)

31. Save as otherwise provided by rule 30, a licence for the possession only of arms, (other than pistols or revolvers), ammunition or military stores may be granted in Form XIV—

(a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

32. A licence for the possession and use of fire-arms, for the purposes of target practice, by the members of any military mess or of any club or association may, with the sanction of the Local Government, be granted in Form XV in the name of the mess, club or association—



(a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

*Possession and going armed.*

**Possession of arms and ammunition and going armed for sport, protection or display.**

33. (1) Save as otherwise provided by rule 30, a licence for the possession of arms and ammunition in reasonable quantities for going armed for the purposes of sport, protection or display may be granted in Form XVI, or Form XVI, A.

(a) In Madras and Bombay—by the Commissioner of Police ; in Calcutta—by the Deputy Commissioner of Police at headquarters ; and

in Rangoon—by the Assistant Commissioner of Police, Rangoon.

(b) in any other place—by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf ; and

(c) in the case of a person residing in a State in India—by the Political officer for such State :

Provided that—

(i) no licence shall be granted for the possession of such rifles, pistols or revolvers as are specified in clause (a) of sub-rule (1) of rule 7 or of ammunition for rifles of '303 or '450 bore or for pistols or revolvers of '441, '455 or any intermediate bore.

(ii) no licence shall be granted in respect of balled ammunition for rifles of '303 or '450 bore or for pistols or revolvers of '441, '455 or any intermediate bore, unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner thereof for sporting purposes, or that such pistol or revolver has been lawfully imported into British India, as the case may be, and the amount of balled ammunition which such licensee may possess during the period of twelve months next ensuing shall be entered in the licence.

(2) Any licence granted under sub-rule (1) may be made valid by the licensing authority as follows :—

(a) throughout the province in which it is granted or any specified part thereof, or throughout British India, and

(b) when granted by a Political Officer under clause (c) of that sub-rule, throughout the whole or any specified part of British India.

(3) Any such licence having effect outside the Province in which it is granted shall be granted subject to any restrictions

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*Rule 33 (1).* After the word and figures "Form XVI" the word and figures "or XVI. A" were added by H. D. notn. no. F.—11—XX.—27 dated the 26th Feb. 1929,

Clause (a) of this sub-rule was revised in its present form by notn. no. F.—21. XXX.—23 dated the 23rd April 1924, and provisos (i) and (ii) by notn. no. F. 21. 53/27 dated the 11th April 1928.

which may be imposed by any general or special order of a Local Government in regard to its own province.

(4) The District Magistrate, South Arcot, may, on the recommendation of His Excellency the Governor of the French Settlements in India, endorse a licence granted in Pondicherry for the possession of arms and ammunition or for going armed as valid for a period, not exceeding one year, throughout British India or any specified part thereof, and such licence shall, when so endorsed, be deemed for such period to be a licence granted under sub-rule (1).

(5) A licence granted under rule 20 of the British Beluchistan Arms Rules, 1927, may be countersigned by the Secretary to the Chief Commissioner, British Beluchistan, as valid throughout the whole or any specified part of British India, and if so countersigned, shall be deemed to be a licence granted under this rule.

#### NOTES.

(1) See para 8 of the "Explanation of Rules" page 29 *ante*.

(2) See notes to Rule 7, on page 83, *ante*.

(3) The following instructions will be observed by the military authorities in respect of the private arms of British and Indian ranks. Applications from soldiers received direct by District Magistrates should be returned to be forwarded in accordance with this procedure.

**British and Indian soldiers who are still serving.**—Commanding officers will call for descriptive returns of all private arms in possession of the warrant and non-commissioned officers and men of their units.—Nominal rolls will then be prepared of soldiers of good character whose exemption from the payment of licence fees is recommended.—An application, accompanied by a copy of the nominal roll and full description of the private arms, will then be submitted to the civil authorities concerned for the issue of the necessary licences.

**Indian soldiers about to be transferred to the pension establishment or the reserve.**—In the event of a soldier wishing to keep his private arms, after leaving the colours, he should be required to fill in, in duplicate, a form giving full descriptions of the arms in respect of which he desires exemption from payment of licence fees.—The commanding officer will endorse his recommendation on both copies of the form and will make over one copy to the soldier and despatch the other direct to the civil officer concerned.

**British and Indian pensioners and reservists**—will apply for exemption from payment of licence fees through their commanding officers.—In the case of British ranks, the commanding officer will be as defined in the "Indian Addendum to the Regulations for the Army Reserve, 1911."—In the case of Indian ranks, the applications should be submitted through the officer commanding their late unit, or depot, if unit is on field service. (H. D. No. 1398 dated the 11th Oct. 1920 and C. P. R. and O., para 14.)

(4) I. A. O. 303 of May 1928.—Arms Licences for serving Soldiers. Instances of the indiscriminate issue of recommendations by Officers Commanding Indian Units for the grant of arms licences to serving soldiers, particularly in Districts where large numbers of such men reside, have been brought to the notice of the Government of India. This has caused considerable embarrassment to the Civil authorities responsible for the issue of licences. In many districts it is imperative to restrict the number of licences granted, either because the total number of licenced weapons in the district is already excessive, or for other reasons. Consequently, if the number of recommendations by Commanding Officers is excessive, it becomes impossible for the Civil authorities to give such recommendations the consideration to which they would normally be entitled.

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Rule 33, sub-rule (4) was amended by notns. nos. D. 875 of the 30th April 1924, and F.-21—LVI—24 of the 18th Sep. 1924, and sub-rule (5) was added by notn. no. F.-21-42-27 dated the 16th Aug. 1927.

Commanding Officers must, therefore, take particular care in the issue of recommendations for licences to soldiers, each case being dealt with on its merits. Such recommendations will be made on a definite form signed by the Officer Commanding the Unit at the time, and contain a certificate that the officer is satisfied that the arms are genuinely required for sporting purposes or the protection of crops.

2. It has also been represented that in certain cases firearms of prohibited bore have been presented by Commanding Officers to serving soldiers and Indian Officers without any intimation to this effect being sent to the Civil authorities concerned.

The rules on the subject of the disposal of arms are contained in para. 1, of Appendix III, Regulations for the Army in India. On such presentation being proposed, full details, with the amount of ammunition, will be sent to the Deputy Commissioner of the District in which the Indian Officer or soldier resides, and actual presentation will not be made until the proposed recipient is in possession of a licence to carry the weapon in question.

(5) The possession of Government arms and ammunition is prohibited.—*vide* conditions of licence forms, and also the following extracts from the letter of the H. D. no. 848 dated the 6th May, 1896 :—

1. Troops in India are constantly subject to thefts of arms of precision, and as these arms are of little or no use without their special ammunition, it is considered by the military authorities highly important to prevent such ammunition from becoming generally available.

It is evident, however, that in cases in which it may be desired to prosecute for the illicit possession of Government arms and ammunition, the *onus* of proving that such arms and ammunition, are the property of the State, will lie with Government, unless, it can be shown that they bear a well-known distinguishing mark. It appeared, therefore, to the Government of India necessary that some easily recognizable Government mark should be stamped upon all Government arms and small-arms and machine-gun ammunition, whether manufactured in England or in India, and also \* \* \* that Government arms which have been sold or given away should be suitably marked so as to show that they have ceased to be the property of Government.

2. It has been arranged with the Secretary of State for India that in the case of small-arm and machine-gun ammunition manufactured in England for use in India each cartridge will in future be stamped with the Government mark  $\Phi$  on the base. Arms obtained from the War Office in England bear the mark W&D and those provided by India Office, London, are marked  $\Phi$ . I am to append statements\* containing complete information as to the distinguishing Government marks on Government arms and ammunition whether manufactured in England or in India. All arms which are sold or given away, and which thus cease to be the property of Government, will be distinguished from Government arms by bearing the mark of inverted arrows together with the Arsenal monogram and date of issue in the places indicated at the end of the last statement.

3. Instructions should be now issued to district and other local authorities with a view to the prosecution, under the provisions of the Indian Arms Act, 1878, of persons who may be in possession of arms and ammunition which are the property of Government.

(6) The issue and renewal of licences for pistols and revolvers must be kept in the hands of District Magistrate himself and never be delegated to subordinates. In dealing with applications for licences for pistols and revolvers it must be understood that such licences are not to be given or renewed without adequate reason. For the purpose of legitimate defences a smooth-bore gun charged with buckshot would be equally, if not more, effective on almost every occasion. New licences for pistols and revolvers will be granted only in cases of real necessity and to persons of approved character; in each case the District Magistrate shall at the time of issue record his reason for granting the licence. And no licence should be renewed unless the weapon is produced before and passed by the District Magistrate. Magazine and repeating pistols must be classed as revolvers.—(Bengal no. 659—6P. dated the 20th May 1909, extended to Eastern Bengal under Circular no. 826—30 P. of the 28th Feb. 1913 and H. D. no. 2125 C, dated the 21st March 1919 and para 58 of the Bengal Rules.)

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[\* Note—The statements referred to are published on pages 160-180 of the Burma Arms Manual, Edn. 1926.]

(7) Revolvers and pistols may be possessed only by persons of good character who can satisfy the licensing authority as to the need for such weapons. No fresh licences for such weapons should be granted unless the licensing authority is satisfied that the weapons are really necessary; but existing licences should ordinarily be renewed. [U. P. no. 23/VI—844, dated the 2nd Jan. 1920, no. 2440/VI—844, dated the 5th May, 1920 and Rule 42 of U. P. Rules.]

(8) Certain patterns of guns of American manufacture should be classed as pistols—*Vide* notes (4) and (5) to rule 28, page 98, *ante*.

(9) With reference to sub-rule (3) of rule 33, it is directed that holders of licences in Form XVI, granted, in other provinces, and having effect in the Punjab, shall, upon entering any district in the Punjab send their licences to be endorsed by the District Magistrate, and shall inform him of the period of their stay in his district; provided that, when the period spent in any district does not exceed fourteen days, no endorsement shall be necessary. No fee shall be payable in respect of any endorsement made in accordance with this order. (Punjab no. 1821 dated the 5th March 1924.)

(10) In cases where a licence-holder is transferred or removes his residence from one district or area to another during the period for which his licence is valid, the licence should not be cancelled, but the officer who granted the licence should, if there be no objection and, if necessary, after making a reference to the other district, endorse the licence under rule 33 (2) (a), so as to make it valid for the district to which the licensee is transferred or has removed, no extra fee being charged for such endorsement. (H. D. no. 1633, dated the 6th July 1921, Bengal no. 3605—10 Pl. dated the 27th October 1921, and para. 59 of Bengal Rules.)

(11) When an application for a licence is made in a district other than that in which the applicant is domiciled or has his principal residence, the Magistrate should consult the Magistrate of the other district before passing orders on the application. (Bengal no. 1213 Pl. dated the 16th March 1922, and para. 60 of Bengal Rules.)

(12) Licences in form XVI for possession and going armed may be freely made valid throughout British India under rule 33 (2) in the case of persons who require the endorsement. Holders of All-India licences should be reminded, when such licence is granted, of their liability to any restrictions which may be imposed by any Local Government in regards to its own province under rule 33 (3). The Government of Bengal have decided not to impose for the present any restrictions on all-India licences granted by other provinces. (Bengal Rules, para 63).

(13) A single licence should ordinarily be issued for all weapons issued in the name of one person. The licensing authority may, however, issue more than one licence for different weapons, in cases where a single licence would cause inconvenience, *e.g.*, a licence to a zamindar for arms kept at different *Kacheris*. (Bengal Rules, para 63).

(14) The attention of the District Officers is drawn to Forms XVIII and XIX which are specially intended to provide for the needs of cultivators who desire to keep arms to defend their lives and their crops from wild beasts. District Officers should issue licences in Forms XVIII and XIX when the guns are really needed for the purpose of destroying wild animals, Form XVI being used in other cases where no other form is specially applicable. Advantage should be taken of opportunities to convert licences in Form XVI to licences in Forms XVIII and XIX when possible and appropriate licences in Form XIX should be issued with liberality for the protection of crops in places where they are damaged by wild animals. In drawing the attention of the District Officers to the special purposes for which licence in Forms XVIII and XIX are designed, it is not intended to place undue restrictions on the grant of licences in Form XVI for the purpose of protection of life and property.

NOTE :—(Form XVIII specifically requires the production of the weapon before a Magistrate and this form and form XIX restrict the use of arms to a particular place or area. Neither form has a space for renewal and, on expiry, a fresh licence is to be granted. All sub-divisional officers [in Bengal] are empowered to issue fresh licences in forms XVIII and XIX to holders of licences in these forms, the validity of which has expired. Applications from persons who have not previously held such licences or whose licences have been cancelled should be disposed of by District Magistrates. [Bengal letter no. 4420 Pl. dated the 15th Aug. 1927 order no. 692 dated the 20 Feb. 1928 and para. 64 Bengal Rules.]

(15) A licence for a double-barrel breech-loading, 12-bore shot gun should not cover weapons of the type of the "Paradox," "Explora" and "Fauneta" ball and shot

gun, as they are rifled for two inches from the muzzle. Such weapon should not be regarded as smooth-bore guns and should not be sold to holders of licences unless the terms of the licence expressly include rifles. (H. D. no. F. 23-X dated the 2nd May 1923, Bengal no. 10675.77 P., dated the 10th Sep. 1915 and para 65 Bengal Rules and U. P. Rules, para. 58.)

(16) When a licence is granted to enable a licensee to purchase a gun or a rifle it should be stated in the licence whether the weapon which it is intended to cover is—

- (1) non-repeating or
- (2) repeating but not automatic or
- (3) automatic.

On a licence for a pistol it should be stated whether the weapon is or is not automatic. Licensed dealers should be instructed not to sell automatic repeating guns or repeating rifles such as the Winchester, unless the terms of the licence expressly cover such weapon. (Bengal letter no. 2126 P. dated 13th July 1916, and no. 3601-3633 Pl. dated the 16th July 1928, and para 66 of Bengal Rules.)

(17) The weapons of American manufacture known as the "Ithaca Auto and Burglar gun" and "H. and R. Handy gun" should be classed as pistols, and all restrictions in force with regard to revolvers and pistols should apply to these weapons, which may therefore be lawfully possessed only by persons holding pistol or revolver licences. (H. D. nos. F. 21-58-27 and F-21 XXXIV-29 dated, respectively the 20th Oct. 1927 and 9th July 1929). Licensed dealers should be instructed not to sell these weapons unless the terms of licence expressly cover them (Bengal nos. 3521 3548 Pl. dated the 3rd. Sep. 1929 and para. 67 A. of Bengal Rules.)

(18) Licences for the possession of automatic magazine guns, such as the five-shot automatic Browning gun should not be issued with the same facility as for ordinary single-barrelled guns, but should only be granted to persons who would be considered fit to possess superior weapons, such as a sporting rifle. In issuing licences for these guns which should be on Forms issued for ordinary single-barrelled breech-loading guns, it is essential that the description of the guns, should be clearly entered thus:—Browning automatic five-shot. Winchester guns should be dealt with in the same way. (Bengal no. 1732 P., dated the 24th March 1919, and para. 67 of Bengal Rules.)

34. (1) Save as otherwise provided by rule 30, a licence may be granted in Form XVII to a *bona fide* traveller proceeding from a port of arrival in British India to his place of destination and for the possession of arms and ammunition in reasonable quantities during the period occupied in so proceeding and for going armed during such period—

(a) if the port of arrival is a Presidency-town or Rangoon—by the Commissioner of Police, and

(b) in any other cases—by the District Magistrate or by any other officer specially empowered by the Local Government in that behalf:

Provided that—

(a) no licence shall be granted for the possession of such rifles, pistols or revolvers as are specified in clause (a) of sub-rule (1) of rule (7), or of ammunition for rifles of '303 or '450 bore or for pistols or revolvers of '441, '455 or any intermediate bore.

(b) no licence shall be granted in respect of ball ammunition for rifles of '303 or '450 bore or for pistols and revolvers of '441 '455 or any intermediate bore unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner

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Rule 34. (1), clause (b) was revised by H. D. notn. no. F-21-XXVI-24 dated the 23d. April 1924, and provisos (a) and (b) were amended by notn. no. F-21-53-27 dated the 11th April 1928.

thereof for sporting purposes or that such pistol or revolver has been lawfully imported into British India, as the case may be.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent—

(a) where the licensee's place of destination is a Presidency-town or Rangoon to the Commissioner of Police,

(b) where his place of destination is elsewhere in British India or Berar—to the District Magistrate of the district in which such place is situated,

(c) where his place of destination is in an Indian State—to the Political Officer for such State.

(3) Any officer to whom a copy of such licence has been sent under sub-rule (2), shall satisfy himself when necessary that the licensee has complied with condition 6 entered on the form of licence.

#### NOTES

(1) In this rule a new Form of licence (XVII) has been introduced permitting a *bona fide* traveller proceeding from a port of arrival in British India to his place of destination to possess arms and ammunition in reasonable quantity during the period of the journey. Passengers who had no permanent licence for their arms must produce this temporary licence on board when they will be permitted to land with the arms failing which the arms will be taken possession of by Collector of Customs and returned to the passenger on his obtaining a licence in this form from the Commissioner of Police and presenting it at the Customs Office in accordance with the preceding rule. With a view to obtaining this temporary licence before landing it is desirable that passengers should furnish their agents with full particulars of the arms they are bringing with them, and instruct them to obtain the necessary licence from the Commissioner of Police and meet the boat with this licence. When possible the Commissioner of Police will arrange for an officer authorised to issue these licences to meet incoming vessels, but this facility is not guaranteed. (Bengal Rules, para 4.)

(2) See also para. 15 of Arms Committee's recommendation, (page 8), para. 11 of Home Dept. resn. dated the 30th Nov. 1923 (page 23) and para. 13 of "Explanation of Rules" (page 31).

35. A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted in Form XVIII by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

36. A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted in Form XIX by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf:

Provided that such licence—

(a) shall only be granted to *bona fide* cultivators; and

(b) shall be valid only in the place or area specified in the licence by the licensing officer.

## NOTES.

(1) In order to cover the cases of Government arms which in some provinces it may be the custom to lend to private persons for the destruction of wild animals or for any other reason, a note giving the distinguishing marks and description of arms lent should be made in the licence. (H. D. no. 537 dated the 16th March 1894.)

(2) *Vide* note (14) to rule 33 on page 101 *ante*.

Going armed on a journey.

37. (1) A licence for going armed on a journey in or through any province may be granted in Form XX—

(a) in a Presidency-town or Rangoon—by the Commissioner of Police;

(b) in any other place—by the district Magistrate or by any Sub-divisional Magistrate specially empowered by the local Government in that behalf, or

(c) in the case of a person residing in a State in India—by the Political Officer for such State.

(2) Where a Commissioner of Police or District or Sub-divisional Magistrate receives an application for a licence of the nature referred to in sub-rule (1) from any person who—

(a) is not resident within the local limits of his authority, or

(b) is not personally known to him,  
he shall, before granting the licence, ascertain—

(i) when the applicant resides in a presidency-town or Rangoon—from the Commissioner of Police;

(ii) when the applicant resides in another place in British India or Berar—from the District Magistrate of the district in which such place is situated, or

(iii) when the applicant resides in a State in India—from the Political Officer for such State,

whether there is any objection to the grant of the licence unless, for reasons to be recorded, he considers this precaution to be unnecessary.

(3) A licence granted under rule 21 of the British Baluchistan Arms Rules, 1927, may be countersigned, by the Secretary to the Chief Commissioner, British Baluchistan, as valid throughout the whole, or any specified part of British India, and if so countersigned, shall be deemed to be a licence granted under this rule.

## NOTES.

(1) There are possibilities of danger in allowing a general licence to carry arms to be granted in these forms to the retainers of licence-holders as without an obligation on the part of the officer granting the licence to specify the names and description of the retainers so covered. These forms were accordingly amplified in order to ensure that the names of all retainers with such particulars as were necessary for this identification are entered in every licence. (Statement of Charges, 1909.)

*Rule 37.* The word "armed" between the words "going" and "on a journey" was inserted by addenda and corrigenda dated the 9th January, 1924.

*Rule 37.* Sub-rule (3) was added by notn. no. F-21-42-27 dated the 16th Aug. 1927.

(2) The quantity of ammunition which a licensee may possess should in every case be entered in column 3 of the licence; but the quantity thus entered represents the maximum which the licensee may possess at any one time. In respect of this point it appears that \* \* \* are in error in supposing that the entry of a given quantity of ammunition in column 3 of the licence represents the absolute maximum which a licensee may possess throughout the year. (India no. 4108 dated the 1st Nov. 1909.) See also notes under Rule 33, page 107 *ante*.

*Possession and Import or Transport.*

38. (1) A licensed dealer authorized by the Local Government or the Commissioner in Sind under sub-rule (3) of rule 28 to sell and keep for sale a specified amount of balled ammunition for rifles of '303 or of '450 bore and for pistols and revolvers of '441, '455 or any intermediate bore may be permitted—

**Possession by dealers of certain balled ammunition with liberty to import.**

(a) in a Presidency-town or Rangoon—by the Commissioner of Police;

(b) in any other place—by the District Magistrate, to import such ammunition up to such amount.

(2) Where application is made under sub-rule (1) for permission to import balled ammunition, the dealer shall produce his licence and if permission is granted, the authority granting it shall endorse on the licence the quantity of balled ammunition for which, and the date on which, such permission was granted.

*Application for and grant of, Licences.*

39. (1) Save as provided by rule 26, a licence, having effect beyond the local limits of the authority of the officer granting it, shall not be granted—

**Previous sanction in certain cases.**

(a) for the export of any arms, ammunition or military stores to a State in India without the previous sanction of the Political Officer for such State, or to any place in Berar without the previous sanction of the Magistrate of the district in which such place is situated:

Provided that the previous sanction of such Political Officer shall not be necessary in cases where the consignee is—

(i) a Ruling Prince or Chief:

(ii) a gazetted officer in civil employ or an officer holding His Majesty's commission in his Majesty's military or air forces;

(iii) member of the family of a Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, or

(iv) one of the persons or a person belonging to one of the classess of persons specified in Schedule I, and the consignment is intended for the personal use only of the consignee; or

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*Rule 38 (1), was amended by notn. no. F. 21-XXX-23 dated the 23rd April 1920.*



(b) for the import or transport of any arms ammunition or military stores—

(i) to a Presidency-town or Rangoon without the previous sanction of the Commissioner of Police; or

(ii) to any other place in British India, without the previous sanction of the District Magistrate of the district in which such place is situated; or

(iii) to any port within the political charge of the Political Resident at Aden or the Political Resident in the Persian Gulf, without the previous sanction of such Political Resident.

(2) Save by the Commissioner of Police in a Presidency-town or Rangoon, a licence shall not be granted under rule 24 for the transport of any breech-loading rifle or ball ammunition to any place in—

(a) the North-West Frontier Province, or

(b) the Rawalpindi, Dera Ghazi Khan, Mianwali or Attock Districts of the Punjab, without the previous sanction of the local Government.

(3) The previous sanction referred to in this rule may be obtained either—

(a) by the applicant for the licence, or,

(b) by the officer to whom application for the grant of such licence is made.

(4) Where the previous sanction is sought by the officer to whom application for the grant of the licence is made, he shall send a copy of the proposed licence to the authority whose previous sanction is required, and, on receipt of the reply of such authority, he shall either grant the licence or inform the applicant that his application is refused.

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#### NOTES.

Under rule 39 (1) it is no longer necessary that the previous consent of the Political officer should be obtained in cases where arms and ammunition ordered from the towns of Madras, Bombay and Calcutta are exported to an Indian State under a licence granted by the Commissioners of Police, Madras and Bombay, and the Deputy Commissioner of Police, Calcutta, for the personal use of—(1) a Ruling Prince or Chief, or (2) a member of his family or a noble or an official of his State who may be designated in this behalf by the local Government or Political Officer concerned. The Commissioners of Police, Madras and Bombay and the Deputy Commissioner of Police, Calcutta, are, however, required under rule 17 (3) of the Arms Rules to send to the Political Officer concerned, in due course, copies of all licences issued by them, to enable a check on the import of arms and ammunition to be exercised. The list of persons who have been designated in the United Provinces under this rule is contained in Appendix B to the U. P. Local Rules and Orders (For D. no. 293-G. dated the 5th February 1920.)

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40. (1) Every person who wishes to obtain a licence under these rules shall apply in writing, through the medium of the post office or otherwise at his option, to the nearest authority empowered to grant such licence and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted:

Provided that an application on behalf of a person subject to the provisions of the Indian Army Act, 1911, shall be made to the authority so empowered in respect of the place where such person permanently resides.

[Where, however, such person has his permanent home outside British India the application should be made through his commanding officer to the licensing officer of the district in which he is for the time being serving.]

(2) Without prejudice to the generality of sub-rule (1) every person applying for a licence—

(a) for the import by land or river,

(b) for the export, or,

(c) for the transport,

of any arms, ammunition or military stores shall specify in his application—

(i) the place of destination,

(ii) the route,

(iii) the time likely to be occupied in the journey, and

(iv) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the licence is required and the purpose for which they are intended,

(3) Where the grant of the licence requires the previous sanction of some other authority specified in rule 39, the application shall state whether such previous sanction has been obtained and, if so, shall be supported by evidence thereof.

#### NOTES.

As some doubt seems to exist whether applications for licences under the Indian Arms Act may still be sent through officers in charge of police stations, the Government desire to explain that the executive instructions appended to G. O. No. 2577, Judicial, dated 23rd November 1914, which empower Police Station House officers to receive applications for arms licences have not been cancelled by the issue of the Arms Act Rules of 1920. It is not compulsory that applications should be sent through officers in charge of police stations, nor is it incumbent on District Magistrates to consult the police before granting or refusing a licence. There is however no objection to the sending of an application through the officer in charge of a police station. (Madras No. 268 J., dated 11th July 1921).

(2) *Vide* also para. 8 of H. D. resolution of Nov. 1923, page 22, *ante*.

41. (1) Every licence shall be granted or renewed in the appropriate Form, and subject to the conditions set forth in such Form, and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the licence shall alone be covered thereby.

(2) Every such licence shall be written or printed—

(a) where it is granted in a Presidency-town or Rangoon, or where it is granted in a district and is intended for use beyond the

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*Rule 40.* The second proviso was added by notn. no. F-21-LX-26 dated the 30th Nov. 1926.

limits of such district, in English and, if the licensing officer so directs, in the vernacular, or

(b) where it is granted in a district and is intended for use only within the limits of such district, in English or in the vernacular, as the licensing officer may direct.

42. (1) Save as herein otherwise provided, every licence under these rules shall, unless previously cancelled, be in force for such period and expire on such day as, subject to any restrictions or limitations provided in the appropriate Form, the authority granting it may enter thereon.

(2) A licence for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated in the licence.

(3) Every licence may, at its expiration and subject to the same conditions (if any) as to previous sanction as would apply in the granting thereof, be renewed by the authority who granted it or by any other authority empowered to grant a licence of the description in question :

Provided as follows—

(a) licences in Form XI or Form XII, may, where the Local Government so directs, be renewed by the Commissioner of the Division in which the licensee resides, or carries on business ;

(b) any Sub-divisional Magistrate may renew a licence in Form XVI ; and

(c) where a licence is renewed by an authority, other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

#### NOTES.

(1) A question has been raised whether under rule 37 (3) of the Indian Arms Rules, 1920, [present rule 42 (3)] a licence granted in one district can be renewed in another district. According to this rule, every licence may be renewed by the authority who granted that licence ; it does not lay down that the licence shall only be renewed by the very officer who granted it. The Government therefore consider that licensing authorities are competent to renew in their districts, a licence originally issued in another district by licensing officers of like status. (Madras no. 237. J., dated 1st June 1921.)

(2) Under sub-rule (3) of rule 42 when an application for renewal of licence at its expiration is made in a district, other than that in which the licence was granted, the Magistrate (Commissioner of Police in Calcutta) of the district in which the application for renewal is made should communicate the fact of the application, as the case may be, to the Magistrate (Commissioner of Police, Calcutta) of the district in which the licence was granted. In the case of refusal the licence should be returned for cancellation to the Magistrate (Commissioner of Police in Calcutta) of the district where it was granted. (Bengal R. and O. para 59. For the second para of Bengal Rule 59 and for Rule 60, *vide* notes (10) and (11) to Rule 33, *ante*.)

(3) Commissioners of Divisions are authorised in the following provinces to renew licences in forms XI and XII, in the case of those licensees who reside or carry on business in their respective divisions :—

United Provinces—(G. O. No. 206 VIII, 413 dated the 19th Jan. 1924 and para. 61 of U. P. Rules).

Punjab—(Cir. No. 8408 dated 5th March 1929), and

Central Provinces—(Notn. no. 435.464-IV dated the 21st Aug. 1924, C. P. notn. no. 436-465-VI dated the 21st Aug. 1924, and para 25 of C. P. Rules).

Discretion and control of authorities empowered to grant licences.

43. (1) Every authority empowered to grant or renew a licence or to give his previous sanction to such grant or renewal may in his discretion—

(a) refuse to grant or renew such licence or to give such sanction, or

(b) where the authority is subordinate to a Local Government, refer the application for orders to such Local Government:

Provided that in any case in which such authority refuses to grant or renew a licence, the applicant for such grant or renewal may appeal to the immediate official superior of the authority so refusing.

(2) Every such authority shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

*Note.*—The authorities empowered to grant licences should take regular action under rule 45 of these rules and under the relevant conditions in forms XIV to XVI, XVIII and XIX to verify arms in the possession of licensees, (H. D. No. 21-XI-25 dated the 5th July 1927).

Obligation to produce licences.

44. (1) any person who—

(a) holds a licence granted or renewed or a pass granted under these rules, or

(b) is acting under colour of such licence or pass,

shall forthwith produce such licence or pass upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a police-station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a licence to grant or renew it upon any condition, not inconsistent with that sub-rule, with respect to the production of such licence.

45. The authority by whom any licence has been granted under

rule 31, [rule 32, rule 33, rule 35 or rule 36 or by whom any such licence has been renewed under sub-rule (3) of rule 42,] may, for the purpose of satisfying himself that any arms covered by such licence are still in the possession of the licensee, at any time while the licence is in force, by order in writing require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

*Rule 45.* The words within brackets were added by notn. no. F-21-XI-25 dated the 5th July 1927.

## NOTES.

(1) When receiving application for licences under the Arms Act, 1878, a district Magistrate is not acting as a Criminal Court, that is judicially, but as an executive officer.

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(2) Should a licensee be unable to produce arms held under a licence, when called upon to do so under rule 45 he should be required to give an account of their disposal. Such cases should be dealt with by the Magistrate in person. Should the account not prove satisfactory the renewal of the licence either in whole or in part should be refused. If it appears that arms covered by the licence have been sold to any person other than a person exempted under section 27 of the Arms Act, and, that no information of such has been lodged as required under section 5 of the Act, the Magistrate should consider whether the licensee should not be prosecuted under section 19 (b) of the Act. Similarly in the case of failure to report loss or theft of fire-arms the licensee is liable to prosecution under section 21 of the Act read with the condition of his licence requiring information to be given to the nearest police-station of loss or theft of the arms. (Bengal R. and O. para 68,) *vide* also note (5) to Rule 3, on page 81, *ante*.

(3) *Vide* also notes to rule 43, page 111 *ante*.

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*Fees.*

46. (1) Every licence granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed.

Fees payable for  
licences.

(2) When any arms, other than—

(a) cannon, or

(b) rifles, revolvers or pistols in respect of which the prohibition imposed by rule 7 applies,

or any ammunition or military stores are imported under a licence into any British port and re-exported thence and re-imported into any of the ports specified in rule 8 or in rule 9, the necessary licences for such re-export under rule 15 and for such re-import under rule 8 or rule 9 shall be respectively chargeable with a fee of one rupee only.

(3) The Governor-General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence.

(4) The Local Government may, by general or special order, remit or reduce the fee payable in respect of the grant or renewal of any licence—

(a) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Local Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition; or

(b) granted under rule 10 to any person for the import of any arms, ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of person or property.

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*Rule 46.* In clause (b) of sub-rule (2), the words "revolvers or pistols" were added by addenda and corrigenda dated the 9th January 1924. *Vide* also notn. no. F-829-1-22 dated the 27th Dec. 1923.

(5) Any Political Officer authorised under rule 17 to grant licences in Form VI may remit the fee payable in respect of the grant or renewal of any such licence in the case of arms and ammunition exported for personal use, or in the case of ammunition exported for the use for blasting purposes, whether on a public work or not, of the Government of the State for which he is the Political Officer.

(6) The fee payable in respect of the grant or renewal of any licence in Form VI shall be remitted in the case of all licences in that Form granted under rule 17 by the Commissioner of Police in Madras or Bombay, the Deputy Commissioner of Police in Calcutta, or by the District Magistrate of Delhi, Meerut, Lahore, Rawalpindi, or Karachi.

(7) The fee payable in respect of a licence in Form VI granted under rule 17 by the District Magistrate of Malabar for export to Mahe shall be reduced to one rupee in every case in which the value of the consignment does not exceed twenty rupees.

(8) No fee shall be chargeable in respect of the grant or renewal of any licence in form XVI to any member of any of the classes of persons specified in the first column of schedule VII for possession of and going armed with the arms and ammunition specified in the corresponding entry in the second column thereof. Provided that if application for renewal is not made within one month of the date on which the licence expires, the licensing authority may, in his discretion, levy renewal fees at the rate specified in Form XVI.

(9) No fee shall be chargeable in respect of the endorsement under sub-rule (4) of rule 33 of a licence granted in Pondicherry.

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#### NOTES.

(1) Under rule 41 (3) [now rule 46 (3)], the fee for licences to re-import shall be remitted in cases where arms and ammunition, which have been sent out of British India on approval to persons lawfully entitled to possess them, are re-imported into British India within a period of two months from the date of export. (India no. 808, dated the 6th May 1920 and para. 17 of Bengal Rules.)

(2) Under rule 46, no fee shall be charged in respect of the grant or renewal of a licence in form VI for the export to a State in India of ammunition required for the use of a public railway or the public work. (H. D. No. 810, dated the 6th May 1920 and para 18 Bengal Rules.)

(3) Under rule 39 (4) (a) [now rule 46 (4) (a)], the Governor in Council (Bengal) is pleased to remit the fee payable in respect of the grant or renewal of all licences for the import, transport or possession of sulphur in reasonable quantities required in good faith for medicinal, agricultural, manufacturing, or industrial purposes other than the manufacture of ammunition and to delegate to the Commissioner of Police, Calcutta, and the District Magistrates in the Presidency of Bengal the duty of being satisfied as to the *bona fides* of purpose for which the sulphur is required to be imported, transported or possessed. (Bengal notn. no. 3742 P., dated the 21st April 1913, and para 31 of Bengal Rules.)

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*Rule 46.* The word "Lahore" in sub-rule (6) after the word Meerut was added by *addenda* and *corrigenda* dated the 9th January, 1924. *Vide also* H. D. notn. no. F-829-I-21 dated the 27th Dec. 1923.

The proviso to sub-rule (8) was added by notn. no. D-875 dated the 30th April 1924 and the proviso to this sub-rule by notn. no. F-21-XLVII-26 dated the 19th Aug. 1926.

Sub-rule (9) was added by notn. no. D-875 dated the 30th. April 1924.

(4) The prescribed fee of Rs. 10 for a revolver or pistol is leviable in the case of breech-loading pistols and revolvers only. Muzzle-loading pistols fall under the category of "other weapons" mentioned in clause I (c) (iii) of the heading of Form XVI (Bengal No. 1308 P. J., dated the 23rd March 1920 and para. 30, Bengal Rules.

(5) Under rule 46 of the Arms Rules the Govt. of India have directed that no fee shall be charged—

(a) in respect of the renewal of a licence in form VI under rule 17 of the Arms Rules for the export to a State in India of arms, ammunition or military stores, in cases where the application for renewal is made before the expiry of the period for which the licence was granted and cause is shown to the satisfaction of the licensing authority why the licence could not be utilised within that period.

(b) in respect of the grant or renewal of a licence in Form VI for the export to a State in India of ammunition required for the use of a public railway or other public work (H. D. notns. nos. 3 and 10 dated the 1st January and 6th March 1930, respectively, para. 18 of Bengal Rules and 68 of U. P. Rules.)

47. Where a licence granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such licence may grant a duplicate—

(a) where the original licence was granted without the payment of any fee free of all fee, or

(b) in any other case, on payment of a fee of one rupee or of the fee with which the original licence was chargeable, whichever is less.

48. (1) All fees payable under rule 46 or rule 47 shall be paid by means of non-judicial stamps or in cash, at the option of the applicant.

(2) Where a fee of not less than one rupee payable under these rules have been realised, and the application for the grant or renewal of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

#### NOTES.

(1) Under rule 48 (1) licence fees are payable by means of non-judicial stamps or in cash at the option of the applicant and payment of fees in cash cannot, therefore be refused. When fees are tendered in cash at the office of the district or sub-divisional magistrate, the party should be directed to credit the amount into the treasury and make over the treasury chalan to the magistrate's office. When the licence fees are remitted by money order, the procedure detailed in article 500 of the Civil Account Code, Volume II, should be followed. (Bengal Rules para 28.)

#### Cancellation and Savings.

Cancellation of the Indian Arms Rules 1920.

49. The Indian Arms, Rules, 1920, are hereby cancelled.

Provided that exemptions, exclusions and withdrawals made, all licences or duplicates granted or renewed, all fees imposed, levied remitted or reduced, and all powers conferred, by or under those rules shall, so far as they are consistent with these rules, be deemed to have been, respectively, made, granted, renewed imposed, levied, remitted, reduced, or conferred hereunder.

(1) Rule 48. The word "rupee" between words "one" and "payable" in sub-rule (2) was added as a correction by *addenda* and *corrigenda*, dated the 9th January, 1924.

(2) Rule 49. The marginal title was substituted by *ibid.*

## SCHEDULE I.—PERSONS EXEMPTED.—(See rule 3).

The persons or classes of persons specified or described in the first column of the sub-joined table are, subject to the provisions of provisos (b) and (c) to rule 3, exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

THE TABLE.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(1) (a) The Viceroy and Governor-General of India, the Commander-in-Chief in India, the Governors of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orissa, the Central Provinces and Assam, the Chief Commissioner of Delhi, the Commissioner in Sind, Privy Councillors, members of the Council of India when visiting India during their term of office, members of the Executive Councils of the Governor-General and Governors, Ministers in Governors' Provinces and Members of the Indian Legislature, during their tenure of office and for six months thereafter. Residents of the First Class, Chief Justices and Puisne Judges of High Courts, Judges of Chief Courts, Judicial and Additional Judicial Commissioners, members of Boards of Revenue, Financial Commissioners;	All except— (a) cannon; (b) articles designed for torpedo service; (c) war-rockets; (d) [such rifles, pistols or revolvers as are specified in clause (a) of sub-rule (1) of rule 7 (and ammunition which can be fired from a rifle of '303 or '450 bore or from a pistol or revolver of '441, '455 or any intermediate bore) not lawfully imported into British India.] (e) machinery for the manufacture of arms or ammunition; and		Those contained in sections 13 to 15.

(1). Schedule I, clause (1) In column four the figures 13 to 15 were substituted by the *addenda* and *corrigenda* dated the 9th January 1924.

(2) This clause was amended by notns. no. F 21-XXX-23 dated the 23rd April 1924 no. F-21-LXXXVI-26 dated the 23rd. Nov. 1926, no. F-21-53-27 dated the 11th April 1928, no. F-21-LX-26 dated 27th March 1930 and no. F-21-LX-29 dated the 3rd. Sept. 1930.

(3) Persons included in entry (1) (b), entry (2) or entry (6) (e) are not required to register the firearms in respect of which they are exempt. (H. D. notn. no. F-2 LXXVI-24 dated the 16th March 1925 and note to para. 36 of Bengal Rules)



Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions
<p>(b) Every Ruling Prince or Chief having salute of guns, and every legitimate son of such Ruling Prince or Chief who is not less than 16 years of age and has been nominated by such Ruling Prince or Chief;</p> <p>(c) The retimes of any Prince or Chief having a salute of guns when such Prince or Chief is entering, passing through or residing in British India;</p> <p>(d) Servants of a Ruling Prince or Chief having a salute of guns when carrying arms for, but not accompanying their masters.</p>	<p>(f) appliances the object of which is the silencing of firearms.</p> <p>Ditto.</p>	<p>This exemption shall be subject to the following conditions:—</p> <p>(i) the number of servants entitled to the exemption in the case of each such Prince or Chief shall not exceed 4, and</p> <p>(ii) their names shall be specified in a general authorization to be issued by the Political Officer concerned to the Prince or Chief.</p>	
<p>(2) (a) Every Ruling Chief not having a salute of guns;</p> <p>(b) such members of the families of Ruling Princes or Chiefs, and such nobles, officials, or accredited agents of a State in India as may be designated by the Local Government or Political Officer concerned.</p> <p>(c) the retinues of any Ruling Chief or other person referred to in sub-heads (a) and (b) when such Ruling Chief or person is entering, passing through or residing in British India subject to such limitation of numbers as may be fixed by the Political Officer concerned under the special or general orders of—</p> <p>(i) the Governor General in Council, or</p> <p>(ii) in respect of Ruling Chiefs not having a salute of guns whose political relations are with a local Government, the local Government concerned: and</p> <p>(d) all officials of States in India passing through British India on duty.</p>	<p>Ditto.</p>	<p>This exemption shall be subject to such conditions (if any) as may be prescribed by the local Government or the Political Officer, as the case may be, and may, where necessary, be of a general nature dispensing with the necessity of a fresh order of each occasion.</p>	<p>Ditto.</p>

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(3) Every Maharaja, Raja or Nawab whose title has been conferred or recognized by Government, every Peer, Baronet, Knight Bachelor, and Knight of any order established by the Crown, and the Khans of Teri and Phulera in the North-West Frontier Province.	Ditto.	The arms or ammunition carried or possessed by any person herein exempted shall be of such descriptions only and shall not exceed such quantities, if any, as— (a) the Governor-General in Council, or (b) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for such person to carry or possess.	Those contained in sections, 13 to 15.
(4) Every Consul and Consular Agent.	Ditto.	Ditto.	Ditto.
(5) Every person of Coorg race and every Jamuna tenure holder in Coorg, who, by his tenure is liable to perform military or police duties.	Ditto.	The arms or ammunition carried or possessed by any person herein exempted whilst residing or travelling outside the Province of Coorg shall not exceed one rifle with 100 rounds of ammunition for the same and one smooth-bore, breech or muzzle loading gun with 500 cartridges or the equivalent in leaden-shot and gunpowder.	Ditto.
(6) The following persons and their retainers, namely :— (a) the ancient Zamindars and Poligars of the Madras Presidency; every Malikana holder in the Malabar District; the Prince of Arcot; M. R. Ry. A. L. A. R. R. M. Arunachalam Chettiar Avargal, Zamindar of Devakottai in the Ramnad district; the	Ditto	The exemption shall be subject to— (a) the order of the Local Government regarding the persons to be included in this category, the number of retainers and the quantity and	Ditto.

(1) *Clause* (4) exempts every Consul and Consular Agent from the operation of the prohibitions contained in sections 13 to 15 of the Arms Act. The term 'Consular Agent' has been held to include Vice-Consul. Honorary Consul do not enjoy diplomatic privileges as of right and the exemption does not apply to them. (H. D. no. F-21-LXIII-29 dated the 11th Aug. 1929 and para. 45 A of Bengal Rules).

(2) *Clause* (5) the exemption granted to Jumma tenure holders in Coorg shall cease to extend to K. Somayya a Jumma Croog.—Notn. no. 2206, dated the 4th November 1920.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>Mahant of Tirupati in the North Arcot district and Shaik Mushtak Shaha, the present Valiya Thangal of Kundotti in the Ernad Taluk, Malabar district of the Madras Presidency;</p> <p>(b) the first class Sardars of the Deccan and Southern Maratha Country States; the first class Sardars of Gujarat; and such members of the Talpur family and Jagirdars and Zamindars in Sind as the Government of Bombay may designate;</p> <p>(c) such Zamindars of Bengal, Bihar and Orissa, and Assam as the Local Government may designate in this behalf;</p> <p>(d) such Sardars and Jagirdars of the Punjab and North-West Frontier Province as the Local Government may designate in this behalf;</p> <p>(e) Shan Sawbwas and other Chiefs in Burma;</p> <p>(f) (i) the Zamindars of the Scheduled Districts of the Central Provinces;</p> <p>(ii) the Dewan of Seoni;</p> <p>(iii) the Bhuskute of Timarni and Burhanpur;</p> <p>(iv) the senior representative of the family of the Rao of Saugor;</p> <p>(v) the head of the junior branch of the Bhonsla family, known as the Kuar Sahib;</p> <p>(vi) the representative of the family of the former Rajas of Saugor;</p> <p>(g) the Taluqdars of Oudh, Rao Udaibir Singh of Gopalpura, Jalaun; Raja Bahadur Bijai Bahadur Singh of Katehra; and such other Zamindars of the U. P. as the Local Government may designate in this behalf; and</p> <p>(h) (i) The Tazimi Istimrardars and non-Tazimi Istimrardars of Ajmer-Merwara,</p> <p>(ii) The Nawab of Boraj.</p> <p>(iii) The Diwan of Durgah Khwaja Sahib,</p> <p>(iv) The Jagirdar of Gangwana,</p> <p>(v) The Jagirdar of Dodiana,</p> <p>(vi) The Jagirdar of Jharwasa.</p>		<p>description of arms and ammunition to be permitted in each case, the purposes for which such arms may be carried, and</p> <p>(b) the annual registration of the retainers' weapons exempted, the number and description only being specified.</p>	

Clause (6) (h) (i) was amended made by notn no. D. 4282 dated the 2nd June 1924, no. F-21-XXVII-26 dated the 29th April 1926 and no. F-21 XXXVIII-27 dated the 8th June 1927.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(7) Any of the undermentioned persons not being members of trans-border tribes, namely :—            (a) armed guards accompanying-sheep, goats, asses and cattle under the provisions of the Frontier Grazing Regulation, 1874 (I of 1874) ; or            (b) villagers residing in the North-West Frontier Province.</p>	<p>All arms except rifles, pistols, revolvers and daggers.</p>		<p>Those contained in section 13.</p>
<p>(8) every officer holding a Commission from His Majesty, every officer of His Majesty's Indian Forces or of Indian States' Forces or of the Indian Territorial Force, every person enrolled under the Auxiliary Force Act, 1920, (XLIX of 1920), and every warrant officer or Staff Sergeant of a British Unit of His Majesty's Regular Forces including a Warrant Officer or Staff Sergeant who is an instructor of the Auxiliary Force, India, or of Indian Territorial Force.</p>	<p>Single-barrel rifles of .303 bore required for match-shooting purposes,</p>	<p>1. Only one such rifle at a time shall be imported or used by any person hereby exempted.            2. The rifle shall be sighted to a range of over 1,000 yards.            3. The rifle shall, in the case of the regimental officers, warrant officers, non-commissioned officers, and persons appointed to Corps of the Auxiliary Force, India, or of Indian Territorial Force, become part of the equipment of the Corps to which the owner for the time being belongs.            4. The owner shall at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs, to the effect that, in the case of the regimental officers, warrant officers, non-commissioned officers, and persons appointed to Corps of the Auxiliary Force, India, or of the Indian Territorial Force, the weapon will be brought on to the equipment ledger of the Corps, and</p>	<p>All.</p>

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(9) The Officer Commanding a Unit in His Majesty's Regular Forces or in any Indian State Forces, and when he is in possession of a pass granted and signed by his Officer Commanding, every warrant-officer, non-commissioned officer and soldier in His Majesty's Regular Forces or in any Indian State Forces.</p>	<p>Such arms and ammunition as are provided for sporting purposes by Government or from a regimental fund under the authority of the Officer Commanding the unit.</p>	<p>in the case of Staff and Departmental officers, will be brought on to the equipment ledger of a Corps in the officer's command or office inventory of stores, and will be accounted for in the same manner as other equipment.</p> <p>5. This exemption shall, in the case of persons appointed to a Corps of the Auxiliary Force, India, or of the Indian Territorial Force, cease to have effect on removal of the owner from the force.</p> <p>6. Any person hereby exempted may dispose of his rifle to another person so exempted: Provided that the rifle becomes part of the equipment of the Corps to which the latter belongs and is accounted for as such.</p> <p>This exemption shall apply in the case of warrant officers, non-commissioned officers and soldiers in respect of weapons and ammunition entered in the pass and to the areas and for the dates specified in the pass and in the case of officers commanding only in respect of the purchase and stocking of arms and ammunition which are provided for sporting purposes by Government or from a regimental fund.</p>	<p>Those contained in sections 13 to 15.</p>

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(10) Persons holding swords or other arms received by them as gifts from the Governor-General in Council or a local Government, or the Commander-in-Chief.	Such swords or other arms as have been so received, together with ammunition for any firearms so received.	The ammunition in respect of which any person is herein exempted shall be of such description only and shall not exceed such quantities as—  (a) the Governor-General in Council, or  (b) a local Govt. in respect of the territories administered by it or subject to its control, may direct.	All.

## NOTES.

(1) *Vide* notes to section (1) of the Act, on pages 35-36 and to Rule 3 on page 81 *ante*.

(2) *Vide* note (1) to Rule 3—re: Satti Muhammad—on page 81 *ante*.

(3) The following are a few of the special exemption under the Arms Act :—

## MADRAS—

(4) (a) Guns brought to British India by the European Residents of the French Settlements of Pondichery, Karikal or Mahe are exempt from import duty provided that the guns are covered by a pass issued under the authority of the Government of the settlement from which they are brought, and countersigned by a British Magistracy certifying that the holders are entitled to carry the guns for sporting purpose. (G. I. notn. in Boards Progs. no. 267, dated the 21st June 1893.)

(Note—Ammunition belonging to French sportsmen which, in the opinion of the Sayer staff, is being taken in unreasonable quantities should be brought to the notice of the Collector.)

(b) The provision of chapter IV of the Indian Arms Act, XI of 1878, cannot, as a matter of courtesy, be enforced to the case of the French Military and Police Officers, when passing the Tindivanam, Villupuram, and Cuddalore taluks, nor customs duty be demanded at the Sayer stations in respect of arms which such Officers are entitled to carry in French Territory. (G. O. no. 175, dated the 25th Jan. 1895.)

(c) French native subjects are for the purposes of sports or protection, allowed to carry with them across the frontier, guns on payment of import duty, when holding gun licences granted by the District Magistrate concerned. Such duty is liable to be refunded under G. O. no. 2553, dated the 16th Dec. 1891, on a report from the French Government that the gun on which import duty was paid has been re-exported. (Madras L. R. and O.)

## BOMBAY.—

(5) As a special case the provisions of chapter IV of the Arms Act, should not, as a matter of courtesy, be enforced in the case of—

(a) Non-European Civil Officials serving under the Government of Portuguese India who are entitled to wear a uniform and sword; and

(b) Military Officers of that Government when travelling through districts through which the ordinary routes by land or sea from Goa to Daman pass.

All Portuguese Officers (Military and Civil) passing through British territory are, on their giving a simple declaration that they are proceeding to Portuguese territory, are allowed to transport their firearms without let or hindrance (Bombay no. 6674 dated the 8th Oct. 1909).

A similar concession has been made by the Government, Portuguese India, to British Officers passing through Goa territory on their way to British territory. (Bombay no. 6674 dated the 8th Oct., 1909.)

(6) Under the provisions of entries (3), (4) and (6) in the table to Schedule I, the Govt. of Bombay have declared that the persons or classes of persons specified or described in the third column of the table hereto appended shall, in respect of the arms which they can carry or possess within the limits of the Bombay Presidency in virtue of any exemption granted under rule 3 of the said Rules and the said Schedule, be subject to the restrictions specified in the fourth column. (Notn. No. 1233 Poll. dated the 20th July 1923)

Serial No.	Entry in the table sub-joined to Schedule I of the Indian Arms Rules.	Persons or classes of persons exempted.	Quantity of arms or ammunition to which exemption is restricted.
1	2	3	4
1	(3)	Maharajas, Rajas or Nawabs whose titles have been conferred or recognised by Government, all Peers, Baronets, Knight Bachelors, and Knights of any Order established by the Crown.	Arms— 3 shot guns. 3 rifles. 1 revolver or pistol. No limit as regards arms, other than firearms. Ammunition— 200 rounds for each rifle at a time. 100 rounds for revolver or pistol at a time. No limit as regards ammunition for shot guns.
2	(4)	Every Consul or Consular Agent.	Do.
3	6 (b)	(i) First Class Sardars of the Deccan and Southern Maratha Country States and First Class Sardars of Gujarat.  (ii) Six retainers of each of such Sardars.	Do. and also old family weapons not otherwise exempted under the rules, of which a list must be furnished to the District Magistrate who will supply a copy to the Sardar under his signature.  Arms— One firearm and one other weapon of each retainer. Ammunition— 100 rounds for each firearm at a time.

(Notn. no. 1233 Poll. dated the 20th July 1925.)

(7) Under the powers conferred by proviso (b) to rule 3 (1) of the Indian Arms Rules, 1924, and in supersession of [Bombay] Govt. Notn. No. 7226, dated the 2nd August 1920, the Governor in Council is pleased to direct that:—

(a) All persons exempted from any of the provisions of the Arms Act, XI of 1878, under Schedule I to the said rules, shall, in the case of persons already in possession of fire-arms or ammunition for the same within two months of the date of publication of this notification in the *Bombay Government Gazette*, and in the case of other persons, within one month of the date on which any fire-arm or ammunition for the same comes into their possession, register such fire-arm or ammunition with the authority hereinafter mentioned stating in writing the particulars specified in the sub-joined table. Such registration shall, in the case of persons residing in the

City of Bombay, be made with the Commissioner of Police, Bombay, and in the case of persons residing elsewhere, with the District Magistrate of the district in which they reside.

(b) The Commissioner of Police, Bombay, and all District Magistrates shall maintain in the subjoined form a register of all fire-arms and ammunition for the same registered under the notification.

## FORM OF REGISTRATION.

Name of exempted person.	Grounds of exemption.	Description of firearms and ammunition.	Maker's name and number.
1	2	3	4

Bombay notn. no. 484 Poll. dated the 17th March 1924.

(8) The directions in regard to the registration of firearms possessed by persons exempted from any of the provisions of the Indian Arms Act, 1878, under entry 6 (b) of Schedule I of the said rules, shall not apply to the firearms possessed by Meherban Pratapsinhrao, *alias* Bhausaheb Bhonsle of Satara, enrolled on the list of Deccan Sardars of the First Class in Black Ink, with judicial as well as honorary privileges. (Notn. no. 721, Poll. dated the 12th April 1922).

(9) Under the provisions of entry (6) in the table appended to Schedule I, of the Indian Arms Rules, the Government of Bombay, have declared that the restrictions imposed by notn. no. 7227, dated the 2nd Aug 1920, on the quantity of arms or ammunition which may be possessed by First Class Sardars of the Deccan and the Southern Maratha Country States in virtue of the exemption granted to them by said entry, shall not apply to the arms and ammunition possessed by Meherban Pratapsinhrao *alias* Bhausaheb Bhonsle of Satara, enrolled in the list of Deccan Sardars of the First Class in Black Ink, with judicial as well as honorary privileges. (Bombay notn. no. 722, Poll. dated the 12th April 1922).

(10) Under the provisions of entry 6 (b) in the table contained in Schedule I, of the Indian Arms Rules, Government of Bombay, have declared that the members of the Talpur family and the Jagirdars and Zamindars in Sind, mentioned in the first column of Schedule A, hereto appended, shall be exempted from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878 (XI of 1878), subject to the restrictions specified in the second column of the said Schedules :—

## SCHEDULE A.

Names of persons exempted.	Quantity of arms or ammunition to which exemption is restricted.
1	2
<i>Members of the Talpur Family.</i>	
(1) Mir Muhammad Bakhsh Khan <i>walad</i> His late Highness Mir Haji Nur Mahomed Khan.	Arms— 3 shot guns.
(2) Mir Sorab Khan <i>walad</i> Mir Rustom Khan.	3 rifles.
(3) Mir Mir Mahomed Khan <i>walad</i> Mir Ghulam Hyder Khan.	1 revolver or pistol.
(4) Mir Fatehali Khan <i>walad</i> Mir Ali Hussein Khan.	No limit as regards arms other than firearms.
(5) Mir Ghulam Murtaza Khan <i>walad</i> Mir Shah Mahomed Khan.	Ammunition— 200 rounds for each rifle at a time—
(6) Mir Mehrab Khan <i>walad</i> H. H. Mir Ali Mardan Khan.	100 rounds for revolver or pistol at a time.
(7) H. H. Mir Haji Fateh Khan <i>walad</i> H. H. Mir Haji Sher Mahomed Khan.	

(1) Note (10) with Schedule A, was published with notn. no. 1058 Poll. dated the 24th June 1925.

(2) Item (1), in column 1 of Schedule A, was substituted by notn. no. 1522 Poll. dated the 19th Aug. 1929.



Names of persons exempted.  1	Quantity of arms or ammunition to which exemption is restricted.  2
<p><i>Jagirdars and Zamindars.</i></p> <p>(8) Jam Bijar Khan <i>walad</i> Maherali Khan.  (9) Nawab Ghulam Hyde. Khan <i>walad</i> Nawab Wali Mahomad Khan, Laghari.  (10) Nawab Ali Ahmed Khan <i>walad</i> Nawab Fateh Mahamed Khan, Laghari.  (11) * * * * *  (12) Pir Sayed Mahomed Saleh Shah <i>walad</i> Pir Ghulam Mahyaddin Shah Gilani, Ranipur.  (13) Khan Bahadur Sardar Sunder Khan <i>walad</i> Ali Nurad Khan Sundrani.  (14) Khan Bahadur Saiyid Khan <i>walad</i> Jaffar Khan Rind.  (15) Sardar Bahawal Khan <i>walad</i> Gholam Ali Khan, Jakhrani.  (16) Malik Sardar Khan <i>walad</i> Malik Sobdar Khan, Numrio.</p>	<p>No limit as regards ammunition for shot guns and also old family weapons not otherwise exempted under the rules of which a list must be furnished to the District Magistrate who will supply a copy to the exemptee under his signature.</p>

## BENGAL—

(11) Under the provisions in the third column of entries (3) and (6) (c) respectively, in the table subjoined to Schedule I to the Indian Arms Rules, 1920, the Govt. of Bengal, has exempted from the operation of the prohibitions and directions contained in sections 13, 14 and 15 of the Indian Arms Act, 1878 (XI of 1878), the classes of persons specified in the third column of the following table in respect of the arms described in the fourth column of that table, when carried or possessed for their personal use in the Presidency of Bengal.

Number of items.  1	Paragraphs in Schedule I to the Indian Arms Rules, 1920.  2	Classes of persons exempted.  3	Arms allowed.  4
1	Paragraph 3	Every Maharaja, Raja or Nawab whose title has been conferred or recognized by Government, every Peer, Baronet, Knight Bachelor and Knight of any order established by the Crown.	One revolver, two rifles and two shot guns.
2	Paragraph 6 (c)	All great zemindars of Bengal included in this category by an order of the Government under clause (a) in column 3 of entry (6) of Schedule I to the Indian Arms Rules, 1924.	The numbers and class of weapons for the personal use of the zemindar himself and the number of retainers will be decided in each case on its merits. One smooth-bore muzzle or breech-loading gun is allowed for each retainer.

\*Notns. nos. 1340 to 1342 P. D., dated the 29th May 1913 are hereby cancelled.—

(1) Item (10) in column 1 of Schedule A, (relating to Bombay) was substituted by notn. no. 609 Poll. dated the 25th Feb. 1930.

(2) Item (11) in column 1 of Schedule A, (relating to Bombay) was deleted by notn. no. 1243 Poll. dated the 10th July 1929.

(3) Note (11) relating to Bengal was published with notn. no. 1401 P. J. dated the 26th March 1920, and is included as para. 32 of Bengal Rules.

*Note.*—In regard to bayonets, as a general rule exempted persons will be allowed to possess and use them without licence, up to the number of smooth bore weapons or retainers specified in the exemption order, whichever is less. This number however is to be considered the maximum, and exempted persons should not be allowed, without good reasons, to purchase them up to the maximum without a licence. In cases where the number of bayonets in respect of which exemption has been allowed is specified in the order of exemption, bayonets in excess of that number should not be possessed without a licence, except with the permission of Govt. (Bengal letter no. 3229 3334 Pl. dated the 3rd. Sep. 1924.)

(12) Exempted persons possessing or intending to purchase firearms in excess of the scale prescribed in the above paragraph must take out licences for such weapons. No scale of ammunition has been fixed for the firearms of exempted person, but excessive purchases will be brought to the notice of District Magistrate in accordance with instructions contained in paragraph 118 of the Bengal Local Rules R. and O., para. 33. Exempted persons who are already in possession of rifles of '303 or of '450 bore and pistols and revolvers of '441, '455 or any intermediate bore and require to obtain ammunition for their use should take out licences under proviso to rule 28 (3) of the I. A. R. 1924, which will be granted free of licence fee. (H. D. no. 903 dated the 20th Feb. 1901, and Bengal R. and O., para. 33A.)

(13) All persons resident in Bengal, who are exempted from the provisions of the Indian Arms Act, and referred to in Schedule I to the aforesaid Arms Rules, should register the firearms in respect of which they are exempt in the manner prescribed by the following rules:—

1. In Calcutta, the Commissioner of Police and elsewhere the District Magistrate shall send an enquiry form, Bengal Exe. Form no. 125 B, (item no. 1 in Schedule of Forms) (in duplicate) to every person exempted under the Indian Arms Act, 1878. Such person is hereinafter referred to as the exempted person.

2. Every exempted person shall fill up the form in duplicate according to the instructions at the top of each page. He shall return one copy to the Commissioner of Police or the District Magistrate as the case may be and shall retain the other copy for future reference.

3. Every exempted person shall report any permanent change of residence to the Commissioner of Police in Calcutta and to the District Magistrate outside Calcutta.

4. In January of each year the Commissioner of Police or the District Magistrate shall make an enquiry from all exempted persons whether they have any changes to report and shall request them to furnish full particulars of any new weapons possessed by them and to make the necessary changes in the copy of the enquiry form retained by them.

5. (1) In case of permanent change of residence of exempted persons the District Magistrate or Commissioner of Police, as the case may be, shall obtain from the proper authority in the district or town they have left the form relating to such person.

(2) In the case of exempted persons arriving from another province, the Commissioner of Police or the District Magistrate, as the case may be, shall forward a form in duplicate to such persons to fill up. (Para. 36 of Bengal Rules.)

*Note.* (1) Persons included in entries (1) (b), (2) and (6) (e) of Schedule I are not required to register the firearms in respect of which they are exempt. (H. D. notn. F-2-LXXVI-24 dated the 16th. March 1925).

*Note.* (2) Exempted persons should be requested to note on page 4 of the inquiry form the numbers of bayonets, swords and daggers in their possession. (Bengal letter nos. 4200-4205 Poll. dated the 2nd. Oct. 1929 and notes to para. 36 of Bengal Rules.)

#### UNITED PROVINCES.—

(14) For the purposes of exemption under clause 3, 6 (g) and 10 of Schedule I Government has, with reference to column 3 of the Schedule, in the case of firearms and ammunition for firearms, to restrict the exemption conferred by the aforesaid schedule on the classes of persons specified in the third column of the table annexed, to the number and description of firearms and the amount of ammunition described in the fourth column when carried or possessed for their personal use in the United Provinces.

(21) Retainers' arms are subject to annual registration under clause (b) of third column opposite to clause 6 of Schedule I, the number and description of weapons only being specified. [U. P. No. 2272-VIII—418, dated the 20th September 1921 and para 11 of Local Rules.]

(22) (i) Clause (c) of Schedule I to the Arms Rules should be construed as applying to the retainers of Princes and Chiefs having a salute of guns in addition to those who have no such salute. (ii) The Agents to His Excellency the Governor for Benares, Rampur and Tehri are authorised under this clause to fix the number of armed retainers who may accompany, respectively, their Highnesses the Maharaja of Benares, the Nawab of Rampur and the Raja of Tehri, when visiting British India. (iii) The lists of other persons and their retainers, who have been designated under clauses 2 (b) and (c), are given in appendix B to the [U. P.] Local Rules. (iv) Seventy-five sepoy of the Bharatpur State, who have been employed for the protection of immovable property owned by the State in the United Provinces, should also be considered as exempted under this clause. They are allowed 15 guns between them. [India No. 812 dated the 16th June, 1913 and para. 2 of Local Rules.] (v) The U. P. Govt. has also designated the Wahawatdars (in virtue of their office) of the Gwalior Darbar Swansethans at Brindaban, Benares, and Allahabad for exemption under clause 2 (b) in respect of the following firearms :—

- |  |     |                          |
|--|-----|--------------------------|
| (1) Brindaban Temple, district Muttra  | ... | Six muzzle loading guns. |
| (2) Benares Trishali Annapurna Chattra | ... | Six " " "                |
| (3) Allahabad Swansethan               | ... | Three " " "              |

[Added by U. P., G. O. no. 3170-VIII-182 dated the 20th June 1925.]

(23) Armed guards from Indian States travelling through British India in charge of treasure are exempted from the Arms Act under clause 2 (d) of Schedule I, to the Arms Rules. Government has however power to impose conditions to this exemption. [U. P. No. 1983-VI—708-D., dated the 14th July, 1904 and para. 13 of U. P. Rules.]

(24) (i) In order to prevent needless annoyance to exempted persons every district officer should maintain a correct list of all such persons in his district, and supply a copy of this list to the police. A copy of this list should be hung up in every police station in the district, and it should be the duty of all police officers to make themselves acquainted with its contents. (ii) In the case of stations bordering on another district, lists should be furnished of the exempted persons residing within the limits of the adjoining police stations of that district, and the police should, where possible, make themselves acquainted with these exempted persons in the adjoining district. [U. P. no. 448, dated the 16th April, 1881, no. 982-VI—660-D-2 dated the 8th April, 1907 and para. 14 of U. P. Rules.]

(25) (i) In order to obviate the difficulty which certain persons, who are exempt from the operation of the Arms Act, find in obtaining arms and ammunition from dealers who do not know whether they are exempt or not, certificate of exemption should be issued by licensing authorities to any exempted person who applies for such a certificate. [U. P. No. 149—VIII-243, dated the 20th Jan. 1923 and para 15 of the Local Rules.] (ii) In order to avoid the possibility of annoyance or delay if the possession of arms is challenged, a similar certificate may be given to exempted persons who wish to proceed with arms outside the area in which they are known (Para. 15 of U. P. Rules).

(26) Para. 16 of U. P. Rules—*Vide* note (5) to rule 3, on page 81.

(27) Para. 17 of U. P. Rules—*Vide* notes relating to air-guns, in Schedule II.

(28) Firearms captured from enemies and kept as trophies by a regiment or military mess should be rendered unfit to fire. [H. D. no. 878, dated the 28th May, 1920 and para. 18 of U. P. Rules.]

(29) Any arm belonging to a Commissioned Officer, Warrant-Officer, Non-Commissioned Officer or Soldier of His Majesty's Forces for the time-being serving beyond the limits of British India, are excluded from provisions contained in sections 14 and 15 of the Act (H. D. no. 1582 dated the 20th Aug. 1920.)

(30) Persons who were enrolled under section 12 of the Indian Defence Force Act, 1917 (III of 1917) and appointed to the University Corps of the Indian Defence Force and who have signified in writing to the officer who was commanding that corps their intention of applying for enrolment in a University Corps of the Indian Territorial Force, are exempted in respect of arms carried for the purpose of military instruction under the orders of the said officer. (H. D. no. 2483 dated the 17th, December 1920.)

(SCHEDULE II—(See Rule 3 of the Indian Arms Rules, 1924, page 80 ante.)

## ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

Within the areas specified in the first column of the sub-joined table the arms, ammunition and military stores described in the second column are excluded from the operation of such prohibitions and directions contained in the Act as are indicated in the third column.

THE TABLE.

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
1. British India, except the Punjab, Burma, and the Delhi Province.	<p>All arms except—</p> <p>(a) cannon other than of the kind specified in head (i) of entry 2,</p> <p>(b) firearms,</p> <p>(c) air guns and air pistols other than of the kind specified in head (iii) of entry 2,</p> <p>(d) articles designed for torpedo service,</p> <p>(e) war-rockets,</p> <p>(f) machinery for the manufacture of arms, and</p> <p>(g) appliances the object of which is the silencing of firearms :</p> <p>Provided that the exceptions in respect of cannon and firearms shall not apply in the case of arms of these classes which are obsolete and unserviceable and of purely antiquarian value or which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display.</p>	<p>All; provided that the local Government may by notification in the local official Gazette, retain all or any of the prohibitions and directions contained in the Act in respect of any areas in the case of any class of persons or of any specified area.</p> <p>Ditto.</p>
2. British India.	<p>(i) Toy cannon weighing less than 56 lbs. and having—</p> <p>(a) a calibre of less than one inch.</p> <p>(b) a length of bore of less than 24 inches, and</p> <p>(c) the interior of the bore unrifled.</p> <p>(ii) Sights for rifles imported for the use of, or for sale to, the persons enumerated in entry (8) of Schedule I or non-commissioned officers and soldiers of His Majesty's regular forces on a written permit from the officer commanding the regiment to which they belong.</p> <p>(iii) Air guns or air pistols which satisfy the following test, namely, that projectiles discharged from such guns do not perforate a target 12 inches square formed by five strawboards of foolscap size, board being 3-64ths of an inch thick and closely held together in a frame ;</p>	<p>All.</p> <p>All.</p> <p>All; Provided that the local Government may, by notification in the local official gazette, retain</p>

Item 2 (iii). The words "air-guns and air-pistols" were added by notn. no. F-21-XLII-24 dated the 7th Aug. 1924 and the proviso to item 2 (iii) in the third column was added by notn. no. 21-LXXXI-24 dated 5 Feb. 1924,

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
	<p>Provided that in making and estimating the test the following conditions shall be observed, namely:—</p> <p>(1) the gun or pistol shall be held horizontally with the muzzle at a distance of five feet from the target,</p> <p>(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun or pistol, and</p> <p>(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target, and in any other case if the projectile passes completely through the back of the target.</p> <p>(iv) Explosives made in small quantities for that purpose of chemical experiment and not for practical use or for sale ; and the following classes of explosives when intended <i>bona-fide</i> for private blasting purposes:—</p> <p>(1) gunpowder in any quantity not exceeding 30 pounds,</p> <p>(2) cartridges made with gunpowder and not containing their own means of ignition, and containing in all not more than 30 pounds of gunpowder.</p> <p>(3) percussion caps,</p> <p>(4) safety fuses.</p> <p>(v) Gun-wads and wire cartridges.</p> <p>(vi) All arms, ammunition and military stores covered by any licence or exemption granted in Berar under the law for the time being in force relating to arms, ammunition and military stores: provided that the conditions of such licence or exemption are observed.</p>	<p>all or any of the prohibitions and directions contained in the Act in respect of air pistols or of any class thereof in the case of any class of persons or of any specified area.</p> <p>Those contained in sections 5 and 14.</p> <p>Those contained in section 14.</p> <p>Those contained in section 6. All.</p>
3. Punjab, Burma and the Delhi Province.	<p>(i) Bows and arrows.</p> <p>(ii) Uniform swords and dirks manufactured in Europe of recognised military or official patterns, when possessed by, or intended to be supplied to persons entitled to wear them as part of their uniforms.</p> <p>(iii) Swords imported for presentation as prizes for members of the regular or Auxiliary Forces.</p> <p>(iv) In Burma and the Punjab, ornamental arms and arms of an obsolete pattern possessing only antiquarian value, masonic swords, and theatrical and fancy dress swords: provided that they are virtually useless for offensive and defensive purposes,</p>	<p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>

(1) Item (3), sub-clause (iii). The word "Forces" was substituted for the word "Force" by *addenda and corrigenda*, dated the 9th January 1924.

(2) Sub-clause (iv) of entry 3 was amended by notn. no. F-21-XIX-25, dated the 24th March 1925.

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
	<p>(v) Arms which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display.</p> <p>(vi) Kirpans possessed or carried by Sikhs; provided that in Burma the length of the blade thereof does not exceed 9 inches.</p> <p>(vii) Swords of honour possessed or carried by persons or by the heirs of persons to whom they were awarded by the Governor-General in Council or a local Government.</p> <p>(viii) Kukris possessed or carried by pensioned Gurkha officers, non-commissioned officers or soldiers of His Majesty's Indian Forces, residing in British India.</p>	<p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>
<p>3-A. Punjab.</p> <p>(a) The districts of Mianwali, Dera Ghazi Khan, Muza-fargarh, Jhang, Gurgaon, Hissar, Ambala, Simla, Kangra, Rohtak, Jullundar, Gurdas-pur, Sialkot, Jhe-lum Ludhiana, Guj-ranwala, Gujrat, Attock, Shahpur, Hoshiarpur, Sheikhupura, Montgomery and Lyallpur.</p>	<p>Swords other than sword sticks.</p>	<p>Those contained in sections 13 and 15.</p>
<p>(b) Theremainder of the Punjab.</p>	<p>Swords, other than sword sticks possessed or carried by the following classes of persons:—</p> <p>(a) Jagirdars enjoying a jagir of Rs. 50 or more <i>per annum</i>.</p> <p>(b) persons paying Rs. 50 or more <i>per annum</i> as land revenue.</p> <p>(c) income tax payers.</p> <p>(d) title-holders and</p> <p>(e) retired military officers of and above the rank of Jemadar.</p>	<p>Ditto.</p>
<p>4. British India, excepting Burma, Aden, the Mianwali and Muza-fargarh districts in the Punjab, and all districts on the external land frontier of British India.</p>	<p>(i) Lead required in good faith for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) up to any quantity.</p> <p>(ii) Leaden bullets and bird-shot in quantity not exceeding such limits as the local Government may fix.</p>	<p>All.</p> <p>All.</p>

Item 3-A (a) and (b). Amended by notn. no. F-21-VII—31, dated the 28th Jan. 1931.

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
5. British India, excluding Burma, Aden and all the districts on the external land frontier of British India, except the Karachi, Larkana and Upper Sind Frontier districts in the Bombay Presidency.	(i) Saltpetre. (ii) Sulphur in quantities not exceeding such limits as the Local Government may fix.	All. All.
6. Aden, the Mianwali and Muzaffargarh districts in the Punjab and all districts on the external land frontier of British India, outside Burma.	(i) Lead required in good faith for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) in quantities not exceeding such limits as the local Government may fix. (ii) Leaden bullets and bird-shot in quantities not exceeding such limits as the local Government may fix.	All. All.
6A. Aden, the Mianwali and Muzaffargarh districts in the Punjab and all districts on the external land frontier of British India, outside Burma, except the Karachi, Larkana and Upper Sind Frontier districts in the Bombay Presidency.	Sulphur in quantities not exceeding 10 seers.	All.
7. Burma and all districts on the external land frontier of British India, except the Karachi, Larkana and Upper Sind Frontier districts in the Bombay Presidency.	Saltpetre required for medicinal or goldsmith's purposes in quantities not exceeding 10 lbs.	All.
8. That part of the Bhavnagar railway which lies in the Ahmedabad district in the Bombay Presidency.	All arms, ammunition and military stores covered by any exemption or <i>parwana</i> granted under the Kathiawar State Arms Rules or the Kathiawar Agency Arms Rules, provided that the conditions of such exemption or <i>parwana</i> are observed.	Those contained in sections 13 to 15.

Item 5, 6, 6-A and 7 were amended by notifications nos. F.-21-24-28 dated the 2nd Oct. 1928 and F.-21-IX-27 dated the 22nd Nov. 1928, and the phrase "External land frontier of British India" was defined as "extending from Karachi round the Punjab, the United Provinces, Bengal, Assam, and Burma near to Mergui"—(*Vide* note to rule 19 of U. P. Rules).

Area.	Arms, ammunitions or military stores.	Prohibitions and directions.
9. Burma—		
(a) Generally.	<p>(i) Lead, except lead in the form of bullets and bird-shot.</p> <p>(ii) Lead, required in good faith for industrial or manufacturing purposes (other than the manufacture of bullets and bird-shot) in quantities not exceeding such limits as the local Government may fix.</p> <p>(iii) Lead bullets and bird-shot, in quantities not exceeding such limits as the local Government may fix, when possessed by persons entitled to possess fire-arms.</p> <p>(iv) Sulphur in quantities not exceeding one seer.</p> <p>(v) Dahs intended exclusively for domestic, agricultural or industrial purposes.</p>	<p>Those contained in section 6. All.</p> <p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>
(b) In the Arakan Hill Tracts.	Spears.	All.

## NOTES.

(1) Firearms captured from enemies and kept as trophies by a regiment or military mess should be rendered unfit to fire. (H. D. No. 978, dated the 28th May 1920.) [NOTE. The word "firearms" means arms that are fired by means of gun-powder or other explosives (Harsha Nath Chatterji—42 Cal. 1133.)]

(2). BOMBAY.—The arms described in the third column of the table hereto appended shall, within the areas specified in the second column of the said table and in the case of persons or classes of persons specified or described in the fourth column of the said table be subject to such prohibitions and directions contained in the Indian Arms Act, 1878, as are indicated in the fifth column of the said table.

TABLE.

Serial No.	Area.	Arms.	Persons or classes of persons.	Prohibitions and directions.
1	2	3	4	5
1	The whole of the Bombay Presidency.	All ... ..	All members of any tribe notified under section 3 of the Criminal Tribes Act 1911.	All



Serial No. 1	Area. 2	Arms. 3	Persons or classes of persons. 4	Prohibitions and directions. 5
2	Do.	<p>All arms except:</p> <p>(a) Bows and arrows:</p> <p>(b) uniform swords and dirks manufactured in Europe of recognised military or official pattern when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniform;</p> <p>(c) swords imported for presentation as prizes for members of the regular or auxiliary force;</p> <p>(d) ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes;</p> <p>(e) swords granted in public Darbar under the orders of the Local Government or the Commissioner in Sind when carried by the persons to whom they have been presented;</p> <p>(f) all arms, including firearms captured from enemies and kept as trophies by a regiment or military mess, so long as they are in the possession of such regiment or mess;</p> <p>(g) Kirpans not exceeding 9 inches in length carried by Sikhs;</p> <p>(h) Swords which formed part of the equipment of police officers of and above the rank of Sub-inspectors while in service who have retired on the full pension admissible to them under the C. S. Regulations.</p>		Those contained in section 13.
3	The whole of the Bombay Presidency.	<p>All swords except—</p> <p>(a) swords granted in public Darbar under the orders of the Local Government or the Commissioner in Sind when carried by the persons to whom they have been presented;</p>	All ...	All

Serial No.	Area.	Arms.	Persons or classes of persons.	Prohibitions and directions.
1	2	3	4	5
	Bombay City and Karachi City.	<p>(b) uniform swords manufactured in Europe of recognised military or official pattern when possessed by or intended to be supplied to persons entitled to wear them as part of their uniform;</p> <p>(c) swords imported for presentation as prizes for members of the regular or auxiliary force;</p> <p>(d) ornamental swords of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes;</p> <p>(e) swords captured from enemies and kept as trophies by a regiment or military mess, so long as they are in possession of such regiment or mess;</p> <p>(f) swords which formed part of the equipment of police officers of and above the rank of Sub-inspector while in service who have retired on the full pension admissible to them under the C. S. Regulations.</p> <p>Swordsticks, daggers, bayonets and kukris.</p>		

(Bombay notn. no. 1233 Poll, dated the 20th July 1925.)

(3) Arms which do not require a licence to possess and go armed with them in any part of the Bombay Presidency. Vide para. 3 of the "Explanation of Rules" page 27 ante.

(1) Bows and arrows;—(2) uniform swords and dirks manufactured in Europe of recognised military or official pattern when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniform;—(3) swords imported for presentation as prizes for members of the regular or auxiliary force;—(4) ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes;—(5) swords granted in public Darbar under the orders of the Local Government or the Commissioner in Sind when carried by the persons to whom they have been presented;—(6) all arms including firearms, captured from enemies and kept as trophies by a regiment or military mess, so long as they are in the possession of such regiment or mess;—(7) kirpans not exceeding 9" in length carried by Sikhs;—(8) swords which formed part of the equipment of police officers of and above the rank of sub-inspectors while in service who have retired on the full pension admissible to them under the Civil Service Regulations.

## NOTES.

(4) *Vide* notes under section 4, of the Act, page 38, *ante*.

(5) **MADRAS.**—Under the proviso in column 3 against entry 1 of Schedule II all prohibitions and directions contained in sections 5 and 6 of the Indian Arms Act, 1878, are retained in respect of the manufacture, conversion or selling or keeping, offering or exposing for sale of bayonets, swords and daggers and also in respect of the import, export and transport of bayonets, swords and daggers, except under a licence and in the manner and to the extent permitted thereby throughout the Presidency of Madras. (Notn. no. 281 dated the 1st Decr. 1922 and notn no. 73 dated the 22nd March 1923).

(6) **BOMBAY.**—The following patterns of air gun are declared to be toys and will not be treated as arms for the purposes of the Arms Act and the rules framed thereunder.

(i) **Britania.**—(ii) **The Gem** two kinds.—(iii) **The Jewel.**—(iv) **The Militi.**—(v) **The Birmingham Small Arms (Ladies Model).** (Bombay no. 811 dated the 9th Feb. 1909 and para. 329 Police Manual, Vol. I, page 177).

(7) **BENGAL.**—Uncertainty is sometimes felt as to the general extent to which arms other than firearms come within the operation of the Arms Act in Bengal. The position is as follows:—Entry 1 in Schedule II of the Indian Arms Rules, 1924, exempts from the prohibitions and directions in the Act all arms with the exception of firearms and weapons of this class, subject to the proviso that the Local Government may retain the prohibitions and directions in respect of any arms. In Notifications reproduced in the following paragraphs the Government of Bengal have retained the prohibitions and directions of the Act in respect of certain weapons, and extended section 15 to Bengal as regards bayonets with the result that the following prohibitions are now in force:—

(i) **Daggers.**—Going armed with daggers and manufacture, conversion and sale of daggers without licence.

(ii) **Swords.**—Manufacture, conversion and sale of sword-sticks without licence.

(iii) **Bayonets.**—Going armed with bayonets and manufacture, conversion, sale, importation, exportation and possession of bayonets without licence.

(iv) **Air pistols.**—Going armed with air pistols and manufacture, conversion, sale, importation, exportation and possession of air pistols without licence.

It is not unlawful under the Indian Arms Act as in force in Bengal to possess or go armed with a sword or swordstick; but it is unlawful in Calcutta to go armed with a sword or sword-stick on account of the order under section 62A (2) (a) (i) of the Calcutta Police Act, issued annually by the Commissioner of Police. [Bengal no. 1838—1886 Pl. dated the 15th May 1925 and para. 20 of Bengal Rules].

(8) In exercise of the power conferred by the proviso in column 3 of entry 1 of the table in Schedule II referred to in the Indian Arms Rules, 1924,

(i) the prohibitions and directions contained in sections 5, 6 and 13 of the Indian Arms Act, 1878, are retained in respect of bayonets in all districts in the Presidency of Bengal and it is declared that no person in this Presidency—

(a) Shall manufacture, convert or sell or keep, offer or expose for sale,

(b) Shall bring or take by sea or land into or out of this Presidency, or

(c) Shall go armed with bayonets,

except under a licence and in the manner and to the extent permitted thereby. (Bengal notn. no. 1122 Pl. dated the 2nd April 1925 and para. 21 of Bengal Rules.)

(ii) the prohibitions and directions contained in section 15 of the Indian Arms Act 1878, are retained in respect of bayonets in all districts of the Presidency of Bengal, and it is declared that no person in this Presidency shall have in his possession bayonets,

except under a licence and in the manner and to the extent permitted thereby. (Bengal notn. no. 1837 Pl. dated the 15th May 1925 and para. 21 of Bengal Rules.)

(iii) the prohibitions and directions contained in sections 5 and 13 of the Indian Arms Act, 1878 (XI of 1878) are retained in respect of daggers other than obsolete daggers and those not capable of use for offensive and defensive purposes in all districts in the Presidency of Bengal, and that no person in this Presidency—

*Cf. Vide* note (11) on page 137 relating to the classification of air-guns.

- (a) Shall manufacture, convert or sell or keep, offer or expose for sale, or
- (b) Shall go armed with daggers,

except under a licence and in the manner and to the extent permitted thereby. (Bengal notn. no. 1124 Pl. dated the 2nd April 1925 and para. 23 of Bengal Rules.)

(iv) the prohibitions and directions contained in section 5 of the Indian Arms Act, 1878 (XI of 1878), are retained in respect of **swords and sword-sticks** in all districts in the Presidency of Bengal and it is declared that no person in this Presidency shall manufacture, convert or sell or keep, offer or expose for sale the said weapons, except under a licence and in the manner and to the extent permitted thereby (Bengal notn. no. 1125 Pl. dated the 2nd April 1925 and para. 24 of Bengal Rules).

(9) In exercise of the power conferred by the proviso in column 3 of entry 2 (iii) of the table in Schedule II referred to in rule 3 of the Indian Arms Rules, 1924—

(i) the prohibitions and directions contained in sections 5, 6 and 13 of the Indian Arms Act, 1878, are retained in respect of **air pistols** of the kind specified in head (iii) of entry 2 of the table in the same Schedule in all districts in Bengal and it is declared that no person in this Presidency—

- (a) shall manufacture, convert or sell, or keep, offer or expose for sale,
- (b) shall bring or take by sea or by land into or out of his Presidency, or
- (c) shall go armed with **air pistols**,

except under a licence and in the manner and to the extent permitted thereby. (Bengal notn. no. 1123 Pl. dated the 2nd April 1925 and para. 22 of Bengal Rules.)

(ii) the prohibitions and directions contained in section 15 of the Indian Arms Act, 1878 are retained in respect of **air pistols** of the kind specified in head (iii) of entry 2 of the table in the same Schedule in all districts in the Presidency of Bengal, and it is declared that no person in this Presidency shall have in his possession the said **air pistols**,

except under a licence and in the manner and to the extent permitted thereby. (Bengal notn. no. 1836 Pl. dated the 15th May 1925 and para. 22 of Bengal Rules.)

(10) **BENGAL AND UNITED PROVINCES.**—A licence is required for going armed with an **air-gun** or **air-rifle**, which does not satisfy the test laid down in Schedule II. Such licence should be granted in form XVI and in the column for an ammunition in the licence may be entered the words "no limit prescribed." (Bengal notn. no. 3431 P., dated the 31st March 1913, para 69 of Bengal Rules, and para 17 of U. P. Rules).

(11) Cases in which difficulty is experienced in determining whether an **air-gun** is a deadly weapon or a toy may be referred to the Inspector of Guns and Rifles, Ishapore. In the event of reference being necessary to the Inspector of Guns and Rifles, Ishapore, regarding the classification of an **air-gun**, the weapons under reference should be sent together with 25 slugs or darts (per weapon) used with it (them). The strawboards used in the local test should be set aside pending the result of the test by the Inspector of Guns and Rifles, [H. D. no. 812—821, dated the 9th June 1914]. *Postal address of Inspector of Guns and Rifles.*—The Inspector of Guns and Rifles, Ishapore, Nawabganj. *Telegraphic address.*—"Inspector, Guns," Ishapore, Nawabganj. *Address of articles consigned by rail.*—To be consigned to—Superintendent, Rifle Factory, Ishapore Railway Station, Ishapore. (Para. 70 of Bengal Rules.)

(12) **UNITED PROVINCES.**—The exclusion from the prohibitions and directions contained in the Arms Act granted by entry 1 of Schedule II has not been limited in the United Provinces, except temporarily in the case of specified weapons in disturbed areas. [Vide entry (1) of Schedule II.] (Para. 1 of U. P. Rules.)

(13) When a notification cancelling the exemption in respect of any weapon is issued, the District Magistrate should take immediate steps to have the orders proclaimed throughout the area concerned, warning all persons of the provisions of section 16 of the Arms Act. The cancellation of the exemption will not only apply to persons possessing weapons of the description concerned but also to manufacturers of these weapons since their manufacture without licence will also be unlawful. A person who is exempted from the provisions of the Arms Act under Schedule I

of the Arms Rules, 1924, remains exempt in respect of weapons the exclusion of which from the operation of all prohibitions and directions contained in the Act has been cancelled for any specified area by notification. [U. P. No. 611-VIII—418, dated the 16th March, 1922 and para. 2 of U. P. Rules.]

(14) Under entry No. (1) of Schedule II, appended to the Arms Rules, 1924, **kirpans** carried or possessed by Sikhs have been excluded from the operation of all prohibitions and directions contained in the Arms Act throughout the United Provinces. [U. P. No. 1278-VIII—221 dated the 2nd May, 1922 and para. 3 of U. P. Rules.]

(15) **PUNJAB**.—Under the proviso in column 2 (iii) of the table in Schedule II of the Indian Arms Rules, 1924, the prohibition and directions contained in sections 5, 6, 13 and 14 of the Indian Arms Act, 1878, are retained in respect of the **air-pistols** of the kind specified in head (iii) of entry 2 of the same table in the whole of the Punjab. (Punjab notn. no. 3174 dated the 20th July 1929.)

(16) **BIHAR AND ORISSA**.—In exercise of the power conferred by the entry of item I in the third column of the table in Schedule II of the Indian Arms Rules, 1924, the prohibitions and directions contained in section 13 of the Act are retained in the sadar sub-division of the district of Manbhum in respect of—(1) **swords** and (2) **daggers**, (B. and O. notn. no. 740 P. R. dated the 21st June 1930.)

(17) **CENTRAL PROVINCES**.—Under the first entry in Schedule II of the Indian Arms Rules, the prohibitions and directions of sections 5, 6 and 13 of the Indian arms Act, 1878, are retained in respect of **sword-sticks (guptis)** and daggers, in regard to all classes of persons, and throughout the Central Provinces. (C. P. notn. no. 7-111-VI, dated the 14th April 1921.)

(18) Under the first entry in Schedule II of the Indian Arms Rules 1920, the prohibitions and directions of sections 5, 6 and 13 of the Indian Arms Act (XI of 1878), are retained in respect of **bayonets** in regard to all classes of persons, and throughout the Central Provinces. (C. P. Notn. No. 684-192-VI, dated the 28th March 1923.)

(19) **BURMA**.—Under the power conferred by the entry in the third column of the table against clause (iii) of item 2 in Schedule II, as subsequently amended, the Local Government is pleased to retain all the prohibitions and directions contained in the Indian Arms Act, 1878, in respect of **Wbley Air Pistol Mark I** and of **Diana Air Pistol** in the case of all classes of persons in Burma. (Notn. no. 54 dated the 1st June 1925 and no. 49, dated the 19th September 1923, on page 121, Bur. Man. Edn. 1926.)

(20) In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of Fin Dept. notn. no. 38 dated the 18th June 1927, the Governor General in Council is pleased to restrict the bringing into British India **dummy or imitation revolvers or pistols**, to cases in which a permit to import the same has been granted, in the case of import at a Presidency Town or Rangoon, by the Commissioner of Police, and in the case of import elsewhere by the District Magistrate: Provided that the restriction imposed by this notification shall not apply to **revolvers or pistols** which are of such construction and character as to render them incapable of being used other than as toys or of being converted into lethal weapon. (Fin. D. notn. no. 35 dated the 6th September 1920.)

(21) **BOMBAY**.—**Lead bullets and bird shot** are exempted from the operation of all prohibitions and directions in the Indian Arms Act, 1878 in quantities not exceeding  $\frac{1}{2}$  cwt. in Aden and 1 cwt. in the rest of the Bombay Presidency (Bombay notn. no. 1335—Poll., dated the 20th July 1925.)

(22) **BENGAL**.—Under clause (ii) in column 2, opposite the fourth entry in column 1 of the Table contained in Schedule II and by clause (ii) in column 2 opposite the fourth and sixth entries in column 1 of the table, five seers is the limit up to which **bullets and bird-shot** are excluded from all prohibitions and directions of the Act in all districts in the Presidency of Bengal.

*Note.*—**Lead pellets for air guns and air rifles** should be treated as **bird-shot** and **lead bullets** should not be possessed, sold, imported, transported or exported in quantities exceeding five seers without licence (Bengal no. 4480, P. dated the 2nd May and no. 3518 Pl., dated the 13th July 1923 and para. 25 of Bengal Rules.)

(23) Under clause (ii) in column 2 opposite the fifth entry in column 1 of the table contained in Schedule II, ten seers is the limit up to which **Sulphur** is excluded

from all prohibitions and directions of the Act in all districts in the Bengal Presidency. [The same limit has been prescribed for districts on the external land frontier of British India by clause (iii) in column 2 against the entry 6A in the \*column 1 of the same table.]

*Note.*—(1) Sulphur may not therefore be possessed, sold, imported, transported or exported in quantities exceeding ten seers without a licence.

*Note.*—(2) The Bengal districts on the external land frontier of British India are Jalpaiguri and Darjeeling. (Bengal notn. no. 3518 Pl., dated the 13th July 1928, and paras. 25 and 26 of Bengal Rules).

(24) UNITED PROVINCES.—With reference to clauses 4, 5 and 6 of Schedule II, it has been declared that within the areas specified in the first column of the subjoined table, the ammunition and military stores described in the second column are exempted from the operation of all prohibitions and directions contained in the Indian Arms Act within the limits mentioned in the third column [Para. 19 of U. P. Rules]:—

Areas.	Ammunitions or military stores	Quantity exempted.
(1) All districts in the United Provinces.	Sulphur ... Lead required <i>bona-fide</i> for industrial and manufacturing purposes other than for bullets and bird shot.	Ten seers. Any quantity.
(2) District in the United Provinces on the *external land frontier of British India.	Lead bullets and bird shot ...	56 lbs. ( $\frac{1}{2}$ cwt).
(3) Other districts in the United Provinces.	Lead bullets and bird shot ...	112 lbs. (1 cwt).

[U. P. no. 1098-VI—752, dated the 9th May 1911, no. 804-VI...62, dated the 18th February 1915, and Rules on page 66 of United Provinces Arms Rules, 1909.]

(25) PUNJAB.—With reference to entry No. 5 (ii) of Schedule II, sulphur in quantities not exceeding ten seers is exempted from all prohibitions and directions contained in the Arms Act in all Districts of the Punjab except the districts of Dera Ghazi Khan, (Punjab notn. no. 3919 dated the 7th Feb. 1921)

(26) With reference to item 4 (ii) of Schedule II, leaden bullets and bird shot in quantities not exceeding one cwt, are exempted from all prohibitions and directions contained in the Arms Act in all districts of the Punjab, except the districts of Mianwali, Muzaffargarh and Dera Ghazi Khan, (Punjab notn. no. 10744, dated the 5th April 1921.)

(27) With reference to item 6 (1) of Schedule II lead required *bona-fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) in quantities not exceeding one cwt, is exempted from all prohibitions and directions contained in the Arms Act in the districts of Mianwali, Muzaffargarh and Dera Ghazi Khan, (Punjab notn. no. 10746, dated the 5th April 1922.)

(28) CENTRAL PROVINCES.—Under the provisions in the second column opposite the fifth entry in the table appended to Schedule II, ten seers is the maximum quantity of sulphur to be exempted in the Central Provinces from the operation of the prohibitions and directions contained in the Indian Arms Act, 1878 (Jud. Dept. Notn. 2377, dated the 30th Nov. 1919, is hereby cancelled.) (C. P. notn. no. 431-465 VI. d. 21-8-1924.)

(29) N.-W. F. PROVINCES.—With reference to items (i) and (ii) of entry (6) of Schedule II of the Indian Arms Rules, the Chief Commissioner has declared that in the whole of the N. W. F. Province—

(1) lead required in good faith for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) in quantities not exceeding one cwt.,

\* Defined as extending from Karachi, round the Punjab, the United Provinces, Bengal, Assam and Burma near to Mergui.

(2) leaden bullets in quantities not exceeding two lbs. in weight, and

(3) bird shot not exceeding five lbs. in weight,

are exempted from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878. Notn. No. 10903G. dated the 29th Nov. 1921 is hereby cancelled. (Notn. no. 627G., dated the 15th January 1924.)

(30) DELHI.—For the purpose entries 4 and 5 of the table subjoined to Schedule II of the Indian Arms Rules, leaden bullets and bird shot in quantities not exceeding one cwt, and sulphur in quantities not exceeding ten seers in the province of Delhi are excluded from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878, (Notn. No. 702 dated the 5th Feb. 1923.)

(31) BENGAL.—Shopkeepers in Bengal are not required to take out licences in respect of saltpetre or to keep accounts of saltpetre possessed by them except on the external land frontier to British India, *viz.*, Jalpaiguri and Darjeeling (Para. 107 Bengal Rules).

(32) Matches of certain kinds in Burma are regarded as explosives within the meaning of the Indian Explosives Act, IV of 1884, come also within the meaning of ammunition as defined in the Indian Arms Act, XI of 1878 and of "dangerous goods" as defined by the Steam Vessels Act, 1884, (now 1917). They cannot therefore be imported, transported, exported, possessed or sold except in accordance with the provisions of the three Acts above cited and of the rules framed thereunder. [Bur. A. M. Edn. 1926, Dir. no. 70 pages 188-189.]

*Note.*—Chhavis, Dahs, Gandasas and Kirpans. *Vide* notes under sec. 4 of the Act, page 36.

### SCHEDULE III. (*See rule 3 of the Indian Arms Rules, 1924, on page 80.*)

#### ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

The arms, ammunition and military stores described in the first column of the subjoined table are excluded from the operation of the prohibitions and directions contained in section 6 of the Act to the extent entered in the second column.

THE TABLE.

Arms, ammunition and military stores.	Prohibitions and directions.
1	2
I. Any arms, ammunition or military stores brought into and landed in bond at, or brought into any port in British India and declared under manifest to be consignments for, any port (other than a port specified in entry II of this Schedule) to which export is permitted.	All.
II. Any arms, ammunition or military stores brought into any port in British India and declared under manifest to be consignments for any port within the political charge of the Political Resident at Aden or the Political Resident in the Persian Gulf to which export is permitted.	Those relating to import.
III. Any arms, ammunition or military stores brought into the port of Aden and consigned, whether with or without transshipment, from any other British port to any other port, other than a port on the eastern sea-board of Africa to which the shipment of arms is for the time being forbidden by an order of the Political Resident at Aden.	All.

## SCHEDULE IV. PARTS OF BRITISH INDIA WITHDRAWN.—(See Rule 3 of the Indian Arms Rules, 1924, on page 80.)

The areas specified in the first column of the subjoined table are withdrawn, in respect of the arms and ammunition described in the second column, from such prohibitions and directions contained in the Act as are indicated in the third column.

THE TABLE.

Areas.	Arms and ammunition.	Prohibitions and directions.
(1) All Scheduled Districts, in the Madras Presidency.	All, except cannon and breech-loading arms.	All, except those contained in sections 12 and 25.
(2) The Chittagong Hill Tracts in Bengal.	All. ...	Those contained in sections 13 and 14.
(3) Ajmer-Merwara, except the Ajmer City Municipality and all places situate within three miles of any part thereof, and those part of the Mirzapur district in the United Provinces of Agra and Oudh which are situated on the right bank of the river Sone.	All, except cannon.	Those contained in sections 13 and 14.
(4) The lands which are for the time being occupied by the Rajputana Malwa Railway in the Nimar District of the Central Provinces (including the lands occupied as stations, outbuildings and for other railway purposes) between the stations of Mortakka and Nimar Kheri.	All.	Those contained in sections 14 and 15: Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger train shall not be entitled to the benefit of this exemption.
(5) The lands to which the Indus Valley State Railway Lands Act, 1873, extends.	All ...	Ditto.
(6) The following parts of the Punjab namely:— (a) the Pargana of Lahaul; (b) The Dera Ghazi Khan district; and (c) the Isakhel tahsil of the Mianwali district.	All (not being possessed by members of transborder tribes) except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.	Those contained in sections 13, 14 and 15.
(7) The following parts of the North-West Frontier Province, namely:— (a) The Peshwar, Kohat, Bannu and Dera Ismail Khan districts, excluding any area included in a Cantonment or Municipality; and	All (not being carried by members of transborder tribes) except rifles, pistols, revolvers and dagger.	Those contained in section 13.



Areas.	Arms and ammunition.	Prohibitions and directions.
<p>(b) the villages in the Hazara District, enumerated in the Appendix* annexed to this Schedule, excluding any area included in the Municipality of Baffa.</p> <p>(8) The following parts of the North-West Frontier Province, namely : The whole of the North-West Frontier Province ; with the exception of those villages of the Hazara District which are not enumerated in the Appendix* annexed to this Schedule.</p>	<p>All (not being possessed by members of transborder tribes) except rifles, pistols, revolvers and daggers, and †balled ammunition and ammunition for rifles, pistols and revolvers.†</p>	<p>Those contained in sections 14 and 15.</p>

\* Printed at the end of Licence Form XX, in Schedule VIII.

† Amended by notn. no. F.-21-XXXIV dated the 30th June, 1925.

SCHEDULE V.—(See rule 16 (b) of the Indian Arms Rules, 1924, on page 88.)

Officers empowered to grant licences for export by sea to ports in states in India or to Foreign Territory.

Officers.	Ports from which they may grant licences to export.	Ports to which they may grant licences to export.	Conditions.
1	2	3	4
(1) The Secretary to the Government of Madras in the Judicial Department.	Any port in British India.	Ports in foreign settlements within the political jurisdiction of the Government of Madras.	
(2) The Secretary to the Government of Bombay in the Political Department.	Do.	<p>(i) Ports in Indian States in Bombay or foreign settlements within the political jurisdiction of the Government of Bombay;</p> <p>(ii) ports within the territories of His Highness the Gaekwar of Baroda;</p> <p>(iii) ports within the political jurisdiction of the Political Resident in the Persian Gulf;</p> <p>(iv) any ports on the coast of Africa; and</p> <p>(v) ports within the political jurisdiction of the High Commissioner, Iraq.</p>	For sporting rifles, (other than sporting rifles taking ammunition of '303 or '450 bore) sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of '303 or '450 bore), not intended for sale or for military purposes, but for the personal use of the consignee and for explosives required for commercial purposes.
(3) The Chief Secretary to the Government of Bengal.	Calcutta.	<p>(i) Ports within the political jurisdiction of the Political Resident in the Persian Gulf; and</p> <p>(ii) ports within the political jurisdiction of the High Commissioner, Iraq.</p>	For sporting rifles, (other than sporting rifles taking ammunition of '303

Schedule V.—Entry (1), column 3, amended by notn. no. F.-21-LVI-25 dated the 7th January 1925.

Officers.	Ports from which they may grant licences to export.	Ports which they may grant licences to export.	Conditions.
1	2	3	4
(4) The Commissioner in Sind.	Karachi.	(i) Ports within the territory of His Highness the Maharao of Kutch; ; (ii) ports within the political jurisdiction of the Political Resident in the Persian Gulf; and (iii) ports within the political jurisdiction of the High Commissioner, Iraq.	or .450 bore) sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of .303 or .450 bore) not intended for sale or for military purposes, but for the personal use of the consignee.
(5) The Political Resident at Aden.	Aden.	(i) Any port on the coast of Africa or Arabia (other than a port on the latter coast which is within the political jurisdiction of the High Commissioner, Iraq); and (ii) any port on the coast of Arabia which is within the political jurisdiction of the High Commissioner, Iraq.	Ditto.
(6) The Agent to the Governor General in the States of Western India.	Bombay and Karachi.	Any port in any State in Kathiawar or in the Kutch State.	Ditto.
(7) The Agent to the Governor-General and Chief Commissioner in Baluchistan and the Political Officer Kalat.	Any port in British India	Any port on the Makran Coast which is within their respective political jurisdiction.	
(8) The Agent to the Governor General Madras States.	Ditto.	Any port in Madras States.	

SCHEDULE VI.—[See rule 17 (1) of the Indian Arms Rules, 1924, page 89.]  
 OFFICERS EMPOWERED TO GRANT LICENCES FOR EXPORT BY LAND OR RIVER  
 TO ANY PLACE BEYOND THE FRONTIER OF BRITISH INDIA.

Officers.	Place.	Conditions.
1	2	3
(1) A Secretary to the Government of— (a) Madras. (b) Bombay, or (c) Bengal.	Any State in India.	For the export of ammunition intended solely for the use of a public railway or other public work.
(2) The Commissioner of Police in Madras.	Any of the French Settlements in the Madras Presidency.	To persons who would be exempted in British India from the ordinary prohibitions of the Act and subject to the following conditions so far as those conditions apply to the circumstances of the case, namely :— (a) The consignment for export shall consist only of arms and ammunition in reasonable quantities and for personal use ; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons, mentioned in Schedule I ; and (c) the Commissioner shall keep a list of such licences.
(3) (i) The Commissioner of Police in the towns of— (a) Madras. (b) Bombay. (c) Calcutta, and (d) Rangoon. (ii) The District Magistrate in other places.	Any place in Berar.	For the export of arms, ammunition or military stores, except— (i) cannon; (ii) articles designed for torpedo service; (iii) war-rockets; or (iv) machinery for the manufacture of arms or ammunition, subject to the condition that a copy of the licence shall forthwith be sent to the District Magistrate of the district in Berar to which the arms, ammunition or military stores are consigned.
(4) (i) The Commissioner of Police in the towns of— (a) Madras, and (b) Bombay; and (ii) The Deputy Commissioner of Police in Calcutta.	Any State in India.	(a) The consignment for export shall consist only of arms and ammunition in reasonable quantities and for personal use; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of rule 39; (c) the Commissioner or Deputy Commissioner shall keep a list of such licences; (d) no such officer may grant a licence for the export to a State in India of any arms in respect of which the prohibition imposed by rule 7 applies, unless such arms have been lawfully imported into British India, and are required for the personal use of persons, or members of the classes specified in Schedule I.
(5) The District Magistrate of Malabar.	Mahe.	

Officers.	Place.	Conditions.
1	2	3
(6) The Secretary to the Government of Bombay in the Political Department.	Portuguese India.	
(7) (a) The Secretary to the Government of Madras in the Judicial Department.	Pondicherry and the other French Settlements in the Madras Presidency.	
(b) The Chief Secretary to the Government of Bengal.	Chandernagore.	
(8) The district Magistrate of Meerut.	(i) Any State in India, and (ii) Kurram, Chitral and Waziristan.	For the export of ammunition only to States in India; and for the export of arms and ammunition to Kurram, Chitral and Waziristan, subject to the following conditions, namely:— (a) the consignment for export shall consist only of sporting ammunition or sporting arms and ammunition in reasonable quantities for the personal use of the consignee; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of rule 39; and (c) the Magistrate shall keep a list of all licences issued by him; and (d) copies of licences covering consignments to States in Central India or Rajputana, shall be sent to the Agents to the Governor-General in Central India and Rajputana, respectively. In the case of Chitral, when the ammunition is to be exported by way of Peshawar, the Magistrate shall send a copy of the licence to the Political Officer for Dir, Swat and Chitral for communication, when necessary, to the Assistant Political Officer in Chitral. If the consignment is forwarded by way of Kashmir, a copy of the licence shall be sent to the Resident. In the case of Waziristan, the Magistrate shall refer to the Political Officer, Tochi, or the Political Officer, Wana, according as the consignment is for Tochi or for elsewhere in Waziristan.
(9) The District Magistrate of Rawalpindi.	Kashmir.	(a) The consignment for export shall consist only of sporting ammunition in reasonable quantities for the personal use of the consignee;

[NOTE.—In connection with condition (b), in column 3, against entry no. (8) of this Schedule attention is invited to For. and Poll. Dept. letter no. 533-G., dated the 30th June 1925, in para. 25 of U. P. Rules.]

Officers.	Place.	Conditions.
1	2	3
(10) The District Magistrates of Delhi, Karachi and Lahore.	Any State in India.	(b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of rule 39; and (c) the Magistrate shall keep a list of all licences issued by him. Ditto.
(11) (a) The Residents in— (1) Hyderabad, (2) Mysore, (3) Baroda, (4) Kashmir and (5) Gwalior.	The States with which they are in political relations and any territory within their administrative control.	(a) No licence shall be granted for the export of— (i) cannon, or (ii) military stores of any kind other than sulphur; or (iii) Save as hereinafter provided, such rifles, pistols or revolvers as are specified in clause (a) of sub-rule (1) of rule 7, or (iv) Save as hereinafter provided, ball ammunition which can be fired from rifles of .303 or .450 bore or from pistols or revolvers of .441, .455 or any intermediate bore. (b) licences for the export of rifles, revolvers or pistols of the bores specified in sub-head (iii) of head (a) may be granted to persons or members of the classes, specified in Schedule I who are exempted in respect thereof. (c) licences for the export of cartridges may be granted to persons, or members of the classes specified in Schedule I who are exempted in respect thereof, subject to the following conditions, namely:— (i) that save in the case of cartridges for use with rifles of .577/.450 and .500/.450 bores, the number of such cartridges shall not exceed two hundred in any one year; and (ii) that the cartridges are for the personal use of the licensees.
(b) the Agents to the Governor-General in— (1) Baluchistan, and (2) North West Frontier Province; (c) all Political Officers in— (1) Rajputana, (2) Central India, and (3) Kathiawar; (d) the Commissioner in Sind; (e) the Commissioner of the Rajshahi Division; (f) The Political Officers in— (i) Kolhapur and Southern Maratha country, (ii) Kutch, (iii) Rewa Kantha, (iv) Mahi Kantha, (v) Savantvadi and		

Entry (11) in clause (a) of the third column the words "the" and "or revolvers or pistols of .450 bore," where the latter occurred for the second time were, deleted by *addenda* and *corrigenda* dated the 9th January 1924.

Entry (1) (a), (b), (c), (d) and (e)—amended by notn. no. F.21-XXX-23, dated the 23rd April 1924, notn. no. F.21-XXI-25, dated the 2nd April 1925 and notn. no. F. 21-53-27, dated the 11th April 1928.

Officers.	Place.	Conditions.
1	2	3
<p>(vi) Palampur;</p> <p>(g) all Political Officers in the Punjab;</p> <p>(h) The Political Agent, Tripura State;</p> <p>(i) the Political Officer, Orissa Feudatory States;</p> <p>(j) Agent to the Governor-General, Madras States;</p> <p>(k) The Political Officers for—</p> <p>(i) Pudukota,</p> <p>(ii) Banganapalle, and</p> <p>(iii) Sandur;</p> <p>(l) the Political Officers in—</p> <p>(i) Quetta-Pishin,</p> <p>(ii) Sibi, and</p> <p>(iii) Kalat;</p> <p>(m) the Collectors and Political Officers in—</p> <p>(i) Surat,</p> <p>(ii) Satara,</p> <p>(iii) Thana,</p> <p>(iv) Kolaba,</p> <p>(v) Dharwar,</p> <p>(vi) Kaira,</p> <p>(vii) Sholapur,</p> <p>(viii) Poona,</p> <p>(ix) Nasik,</p> <p>(x) Bijapur, and</p> <p>(xi) Sukkur;</p> <p>(n) the Political Officer in Manipur;</p> <p>(o) the Deputy Commissioner in the Khasi and Jaintia Hills;</p> <p>(p) the Political Officer in Sikkim;</p> <p>(q) all Political Officers and Deputy Commissioners in the North-West Frontier Province;</p>		

Officers.	Place.	Conditions.
1	2	3
(r) the Political Officer, Chhatisgarh Feudatories, and all Civil Officers in the Central Provinces who may have States in India within their political charge; and		
(s) The Agents to the Governor for Rampur, Benares and Tehri States.		
(12) (a. 1) The Hon'ble the Agent to the Governor-General in Baluchistan.		
(12) (a) The Secretary to the Government of Bombay in the Political Department; and	Any place within the Political jurisdiction of His Britannic Majesty's Consul General and Agent of the Government of India in Khorasan or of His Britannic Majesty's Consul for Sistan and Kain.	
(b) the Chief Secretary to the Government of Bengal.		
(13) The Chief Secretary to the Government of Burma.	Any State in India within the political charge of the Government of Burma, and any place in Siam or China.	Subject, in the case of export to Siam or China, to the condition that the consignee has obtained sanction to the import of the consignment from the Siamese or Chinese authorities concerned.
(14) The Commanding Officer of a Gurkha Battalion.	Nepal.	For the export of kukris in the possession of discharged Gurkha Sepoys on their departure from the battalion to Nepal.
(15) The British Envoy at the Court of Nepal.	Nepal.	For the export of shot gun ammunition to discharged or pensioned officers, non-commissioned officers or men of Gurkha Regiments.

Entry (12) (a-1) added by notn. no. F.-21-LIV-29, dated the 10th Sept. 1929

Entry (15) was added by notn. no. F.-21-XXI-25 dated the 2nd April, 1925.



[See rule 46 (8) of the Indian Arms Rules, 1924, page 113]

PERSONS TO WHOM NO FEE IS CHARGEABLE FOR A LICENCE IN FORM XVI IN  
RESPECT OF CERTAIN ARMS.

Persons.	Arms and ammunition.
<p>(1) (a) Any Warrant Officer, Non-Commissioned Officer, or Soldier in His Majesty's Military Forces, British or Indian, or in the Auxilliary Force, India, or in the Indian Territorial Force, and any Warrant Officer of the Royal Indian Marine.</p> <p>(b) any Indian Officer within the meaning of section 7 (2) of the Indian Army Act 1911 (VIII of 1911), whether in service or retired and in receipt as such of a pension, or</p> <p>(c) any person who was enrolled as a member of a corps of Volunteers under the Indian Volunteers Act, 1869 (XX of 1869), or who was a member of the Indian Defence Force, and who has been awarded the Volunteer Officer's Decoration or the Long Service Medal.</p> <p>(d) Indian Officers of the Burma Military Police, Assam Rifles and Eastern Frontier Rifles whether in service or retired and in receipt as such of a pension, and</p> <p>(e) non-commissioned officers and men of the Burma Military Police, Assam Rifles and Eastern Frontier Rifles nominated in this behalf by Commandants of Battalions to a number not exceeding five in each Company.</p>	<p>All.</p>
<p>(2) (a) Any person, below the rank of commissioned officer who has been discharged from his Majesty's naval, military or air forces and who is in receipt as such of a pension or has been transferred to the Army Reserve or the Indian Army Reserve and who is designated in this behalf by the officer commanding his unit or department, or</p> <p>(b) any person below the rank of commissioned officer who has been discharged from any unit of the Imperial Service Troops or Indian State Forces and who is in receipt as such of a pension and who is designated in this behalf by the officer commanding the unit.</p>	<p>Such arms as were actually in a person's possession at the time of his discharge, together with a reasonable quantity of ammunition for the same.</p>
<p>(3) Any ex-officer of His Majesty's naval, military or air forces, so long as he is entitled to wear the uniform of such force or any officer of the Indian Army Reserve after release from army service.</p>	<p>Revolvers or automatic pistols which formed part of equipment when in employment as such officer together with a reasonable quantity of ammunition for the same.</p>
<p>(4) Any officer of a Volunteer Corps, the Indian Defence Force, the Auxilliary Force, India, or the Indian Territorial Force, who has been granted honorary rank on retirement and permitted to wear the uniform of such corps or force.</p>	<p>Arms which formed part of equipment when in employment as such officer, together with, where necessary, a reasonable quantity of ammunition for the same.</p>

Clause (1) (a) Amended by notn. no. D. 564, dated the 29th May 1924.

Clause (1) (c)—Vide note (1) to sec. of the Act, page 35.

Persons.	Arms and Ammunition.
(5) Retired police officers who are permitted to wear on ceremonial occasions or when calling on Government officials the uniform of the rank which they held in the force at the time of retirement.	Revolvers which formed part of equipment as a police officer, together with a reasonable quantity of ammunition for the same.
(6) The heirs or successors of persons holding swords or other arms received by them as gifts from the Governor-General in Council or a local Government.	Such arms as were received as gifts, together with, where necessary, a reasonable quantity of ammunition for the same.
(7) Government servants whose possession of arms—such possession not being exempt from the provisions of the Act under section 1 (b) thereof—is declared by the Local Government to be in the public interest.	Such arms and ammunition as are specified in the declaration.

## NOTES.

(1) Under sub-rule (3) of rule 41 [now 46] of the Indian Arms Rules the persons named below (of the Simla District) are exempted from the fee payable in respect of the grant of a single licence in Form XVI, under rule 33, for the possession of a single firearm other than a rifle, pistol or revolver, or in respect of the renewal of such licence. (H. D. notn. no. 1344 of the 9th June 1921).

## SCHEDULE.

1. Hari Singh (Christian) of village Barobagh, tahsil Kotgarh.
2. Budh Raj (Christian) of village Saraga, tahsil Kotgarh.
3. Lal Singh (Kanait) of village Dhali, tahsil Kotkhai.
4. Dhani Ram of village Nauza, tahsil Kotgarh.
5. Sada Nand, son of Kum Das, village Nauza, pargana Kepu, tahsil Kotgarh.
6. Sarnoo, Kanait of village Dalan, tahsil Kotgarh.
7. Galeb Singh, son of Bud Singh, village Dakahal, tahsil Kotkhai.
8. Dirjoo, son of Fandoo, Kanait of village Koti, tahsil Kotkhai.

(2) The possession of a Kukri by a member of the Linestaff of the Telegraph Department of the Bombay Engineering Circle while on duty shall be deemed to be of public interest under entry No. (7) of Schedule VII. (Bombay notn. no. 1487, dated the 1st June 1927.)

(3) The possession by the police officers mentioned below of a revolver or pistol in addition to the regulation revolver or pistol possessed by them as part of their equipment is in the public interest:—

Deputy Inspectors of Police, Sub-Inspectors and Sergeants—In the City of Bombay. (Bombay notn. no. 2603 Poll. dated the 13th July 1930).

(4) The following officers who are required to possess arms for the adequate discharge of their duty, should be allowed a licence for one smooth-bore gun, free of licence fees, provided there is no individual objection to the grant of an arms licence in the terms of item (7) of Schedule VII.

(1) All subordinates from foresters upwards who are posted in the Dooars and Terai, viz. the lower parts of Kurseong and Kalimpong Forest divisions and in the whole of the Jalpaiguri, Buxa and three Chittagong Divisions.

Schedule VII—Clause (7) was amended by notn. no. F-21-XXI-25, dated the 2nd April 1925.

(2) All subordinate officers, from the forest guards upwards, who are posted in the Sunder bans :

Provided the Divisional Forest Officer certifies that the applicant falls within these categories, and requires fire-arms for the purpose of self-protection in the course of his duties. (Para. 46 of Bengal Rules)

(5) Police officers of and above the rank of sub-inspector, including sergeants, are authorised to possess one revolver as part of their equipment. They are, therefore, exempted under section 1 (b) of the Arms Act from the obligation to take out a licence in respect of a weapon so possessed.

The Government of India have held that section 1 (b) covers cases where firearms are issued by Government to subordinate officers, including forest subordinates, for protection in the execution of their duty but do not form part of the officer's equipment. Such officers, therefore, do not require a licence in respect of any firearms so issued.

*Note*—Paragraph 46 [note (4) above] covers the cases of certain forest subordinates who should possess arms for the adequate discharge of their duty but are not supplied with guns by Government. A forest subordinate who is exempted under section 1 (b) in respect of a gun issued by Government or who received under paragraph 46 a free licence for a gun not supplied by Government must take out and pay for a licence for any other weapon in his possession. (Bengal letter no. 3863 P. J., dated the 21st Sept. 1920, and H. D. letter no. F. 21/XXIII/24, dated the 14th April 1925, and para 46A, Bengal Rules.)

(6) Officers holding commissions in the Auxiliary and Territorial Forces are not exempted from payment of licence fees in respect of private arms. All warrant officers, non-commissioned officers and men in these forces are however exempted under item (1) (a) of Schedule VII, from payment of licence fees in respect of all arms which they possess under a licence in Form XVI. Their exemption from payment of licence fees does not however entitle them to the grant of licences except in accordance with the orders in force from time to time regarding issue and renewal of licences. The restrictions on the grant of revolvers in paragraph 58 [note (6) to rule 33, page 102] therefore apply in these cases also. (Bengal letters nos. 796-1003 Pl-D., dated the 29th Sept. 1924 and 3094-3115 Pl. dated the 29th Nov., 1924 and para 46B of Bengal Rules).

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## SCHEDULE VIII.

FORM I.—(See Rules 5, 23 and 30.)

FREE OF ALL FEE.

import*Licence for the transport of cannon, articles designed for torpedo service, war-rockets*possession*or machinery for the manufacture of arms or ammunition.*

Name, description, and residence of licensee and agent (if any).	Number of packages.	Description with specification of calibre of cannon or other articles.	Number of articles.	COLUMNS TO BE FILLED UP IN CASE OF IMPORT OR TRANSPORT.			Period for which the licence is valid.	Use to which the articles are to be put.
				Place of dispatch and route.	Place of destination.	Name, description and residence of consignee.		
1	2	3	4	5	6	7	8	9

The—of—19 . 
*{* Date on which a copy is sent to  
*the Commissioner of Police—*  
*District Magistrate of the—*  
*district.*



(Signature).

*Secy. to the Govt. of India,  
Home Department.*

The—of—19 .

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.
2. In cases of import or transport—
  - (a) bulk shall not be broken before the articles reach the place of destination, and
  - (b) the articles shall be delivered only to a person lawfully entitled to receive them.
3. In cases of import by land or river, or of transport, an account of the contents of each package shall be legibly written thereon.
4. In cases of transport by rail, each package shall be marked with the word "cannon," or, as the case may be, in such a manner as to be readily recognizable by the railway authorities.

## FORM II.—(See rules 8 and 9.)

## FEE—

(a) where granted under rule 8, (d), FREE OF ALL FEE ;

(b) where granted under rule 9, ONE RUPEE ;

(c) in any other case, TEN RUPEES.

*Licence for the import of arms, ammunition or military stores into the port of—*

Name, description and residence of licensee and agent (if any)	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Purpose for which required.	Value of the fire-arms per piece.	Place where articles are to be deposited or to which they are to be despatched.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number				
1	2	3	4	5	6	7	8	9	10
									From the ——— ————— to the ————— ————— 19 .

The — of — 19 .

Seal.

(Signature.)

Commissioner of Police. ———

District Magistrate of the ——— district

Secretary to the Government of Madras.

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. An account of the contents of each package shall be legibly written thereon.

3. The article shall be either—

(a) deposited at Aden in such Government warehouse as the Political Resident may from time to time appoint in this behalf, and elsewhere—

(i) in a warehouse appointed under section 15 of the Sea Customs Act, 1878, or

(ii) subject to the general or special sanction of the Local Government under section 7 of the Indian Arms Act, 1878, in a warehouse licenced under section 16 of the Sea Customs Act, or

(b) forthwith despatched to their place of destination.

## FORM III.—(See Rule 10.)

.FEE—

- (a) where granted under rule 10 (1), FIVE RUPEES ;  
 (b) where granted under rule 10 (2), FREE OF ALL FEE.

Licence for the import of arms, ammunition or military stores by land or river.

Name, description and resi- dence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valied.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11
										From the _____
										to the _____
										_____ 19 .

(Signature).

Commissioner of Police \_\_\_\_\_

District Magistrate of the \_\_\_\_\_ district,

Political Officer for the \_\_\_\_\_ State.

Seal.

The \_\_\_\_\_ of \_\_\_\_\_ 19 . Date on which a copy is sent to the

The \_\_\_\_\_ of \_\_\_\_\_ 19 . {

Political Officer for the \_\_\_\_\_ State [rule 10 (3)].

District Magistrate of the \_\_\_\_\_ district [rule 10 (4)].

Station Master at the \_\_\_\_\_ station [rule 10 (6)].

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms" "Ammunition," or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

## FORM IV—(See Rule 15.)

## FEE—

(a) where granted under Rule 15 (2) (a) to (d), TEN RUPEES, or  
in the case referred to in Rule 46 (2), ONE RUPEE ;

(b) where granted under Rule 15 (2) (e), FREE OF ALL FEE.

*Licence for the export by sea of arms, ammunition or military stores from the port  
of \_\_\_\_\_ to the port of \_\_\_\_\_.*

Name, description and resi- dence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Port to which con- signment is to be despatched.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.		
1	2	3	4	5	6	7	8
							From the _____ _____ to the _____ _____

The \_\_\_\_\_ of \_\_\_\_\_ 19 . { *Date on which the previous sanction of the  
Commissioner of Police \_\_\_\_\_  
District Magistrate of the \_\_\_\_\_ district  
is obtained [Rule 39 (1)].* (Signature).

The \_\_\_\_\_ of \_\_\_\_\_ 19 . { *Date on which a copy is sent to the  
Commissioner of Police.  
District Magistrate of the \_\_\_\_\_ district  
[Rule 15 (4)]*

The \_\_\_\_\_ of \_\_\_\_\_ 19 . { *Commissioner of Police.  
District Magistrate of the \_\_\_\_\_ district*

Seal.

\_\_\_\_\_  
*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. Where the consignment is to be despatched to an Indian port, the licence shall not be valid for export to any port other than that entered in column 7.

[SCH. VIII—FORMS V AND VI] THE INDIAN ARMS RULES 157

FORM V.—(See Rule 16).

FEE—FIVE RUPEES.

Licence for the export by sea of arms, ammunition or military stores from the port  
of \_\_\_\_\_ to the port of \_\_\_\_\_

Name, description and resi- dence of licensee and agent (if any)	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11

(Signature).

*Secy. to the Govt. of India, For. and Poll. Dept.*  
*Officer specially empowered under Rule 16.*

The \_\_\_\_\_ of \_\_\_\_\_ 19 . { Date on which a copy is sent to the  
(1) Poll. Officer or Poll. Resdt. [Rule 16 (2)].  
The \_\_\_\_\_ of \_\_\_\_\_ 19 . { (2) Agent or Master of vessel at  
the.....port [Rule 16 (3).]

Conditions are similar to those of Form III.

FORM VI.—(See Rule 17).

FEE—FIVE RUPEES.

Licence for the export by land or river of— { arms, ammunition or military stores to  
.....in the State  
arms, ammunition or military stores to the  
State in political relation with the  
Government of \_\_\_\_\_

Name, description and resi- dence of licensee and agent (if any).	Number of packages.	Arms,		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11

Conditions are similar to those of Form III.



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## FORM VII.—(See Rule 24.)

FEE—TEN RUPEES.

*Licence for the transport of arms, ammunition or military stores.*

Name, description and residence of licensee and agent (if any) authorized for the purpose of this consignment.	Licensee's place of business, if any.	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch, route and mode of transit.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
			Description.	Number.	Description.	Weight in seers or number.				
1	2	3	4	5	6	7	8	9	10	11

The—of—19 . { *Date on which the previous sanction of the Commissioner of Police—* (Signature),  
*District Magistrate of the—district is obtained [rule 39 (1)].*

The—of—19 . { *Date on which a copy is sent to the Commissioner of Police—[rule 24 (2) (a)]:*  
*District Magistrate of the—district [rule 24 (2) (b)]* Seal. *Commissioner of Police.*  
*Magistrate at—[rule 24 (3)].* *District Magistrate of the—district.*

The—of—19 .

Conditions 1 to 3 are similar to those of Form III.

4. The articles shall be delivered only to a person lawfully entitled to receive them

## FORM VIII.—(See Rules 26 and 27.)

FEE—TEN RUPEES.

*Licence for the import, transport and re-export } of arms, ammunition or military stores.*  
*export and re-import*

Name, description and residence of licensee and agent (if any) authorised for the purpose of this consignment.	Licensee's place of business, if any.	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch, route and mode of transit.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
			Description.	Number.	Description.	Weight in seers or number.				
1	2	3	4	5	6	7	8	9	10	11

The—of 19 . { *Date on which copy is sent to the*  
*(a) other Political Officer concerned* Signature.  
*licensing authority*

The—of—19 . { *( Rule 26 (2) (a) )*  
*( Rule 27 (2) )*  
*(b) District Magistrate of.....District* *Political officer*  
*( Rule 26 (3) )* *Officer specially*  
*( Rule 27 (3) (b) )* *empowered under*  
*Rule 27.*

The—of—19 . { *(c) Station Master at the...Railway Station* .....State  
*( Rule 26 (2) (a) )*  
*( Rule 27 (2) (a) )*

Conditions are similar to those of Licence Form VII.

## FORM IX—[See Rule 23 (1) (a).]

FEE TWENTY RUPEES

*Licence to manufacture, convert, sell or keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).*

Serial number of licensee.	Name, description and residence of licensee, and of duly authorised agent or agents if any.	Place of business, factory or shop.	DESCRIPTION AND NUMBER OF ARMS.		DESCRIPTION AND QUANTITY OF AMMUNITION OR MILITARY STORES.		Date on which the licence expires.
			To be manufactured or converted.	To be sold or kept for sale.	To be manufactured.	To be sold or kept for sale.	
1	2	3	4	5	6	7 *	8

The — of — 19 .

Seal.

Commissioner of Police

District Magistrate of the — district.

## Form for renewal of the Licence.

Date and year of renewal.	Date on which the renewed licence expires.	Signature of Commissioner of Police or District Magistrate.

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and the Indian Arms Rules, 1924.

2. The licensee shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales in such form as the local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officer of a rank not below that of Inspector, or, if the local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English and in the vernacular of the District his name and the words "Licensed to manufacture (or "Licensed to deal in" as the case may be) arms, ammunition and military stores."

(2) He shall also affix in his place of business, factory or shop a copy of section 28 of the Indian Arms Act, 1878, either in English or in the vernacular of the District.

5. He shall at the time of purchase of arms, in the North-West Frontier Province at the time of purchase of all ammunition and elsewhere at the time of purchase of ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a licence in Form XVI, XVII, XVIII, XIX or XX—

(a) the name, description and residence of the person who takes delivery of the articles sold.

(b) the nature and quantity of the articles sold, and

(c) the date of sale, and shall sign the endorsement.

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the Local Government may direct.

8. He shall not sell to any person licensed to possess or carry arms, ammunition in excess of the maximum which may be fixed by the local Government for such person and which is endorsed on such person's licence.

9. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. He shall not keep Government arms, ammunition or military stores, or, unless he is specially authorized in this behalf by the local Government, or in Sind by the Commissioner in Sind, keep or sell revolvers manufactured out of India or magazine pistols.

*Explanation.*—For the purposes of this condition,—

(a) "Government arms" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores," mean, respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

12. Where the licence is granted in and for any local area in Bengal or Assam, the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the local Government may from time to time by notification apply this condition.

13. (1) Where the licence is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides or of the Commissioner of Police, if the person resides in Rangoon.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any person who is exempted under entry (1), (4) or (6) (e) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 14 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

14. (1) Where the licence is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to, or for use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any person who is exempted under entry (1), (2), (3), (4) or (6) (d) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15, of the Indian Arms Act, 1878, or

(b) any villagers residing in those portions of the North-West Frontier Province which are specified in entries (8) and (9) of Schedule IV to those Rules as withdrawn from the operation of certain sections of that Act, or

(c) any person whose name is included in any list compiled by the District Magistrate for this purpose and who declares that he purchases for his own use.

15. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the licence.

## FORM X—[See Rule 28 (1) (b).]

FEE—TEN RUPEES.

*Licence to sell and keep for sale arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).*

Serial number of licence.	Name, description and residence of licensee and of duly authorised agent or agents, if any.	Place of business or shop.	Description and number of arms.	Description and quantity of ammunition or military stores.	Date on which the licence expires.
1	2	3	4	5	6
					<i>In Burma</i> The 31st March, 19 . <i>Elsewhere</i> The 31st December 19 .

(Signature.)

The ——— of ——— 19

Seal.

Commissioner of Police, ———

District Magistrate of the ——— district.

Form for renewal of the licence.

Date and year of renewal.	Date on which the renewed licence expires.	Signature of Commissioner of Police or District Magistrate.

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act 1878, and of the Indian Arms Rules, 1924.

2. The licensee shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in such form as the Local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police-officer of a rank not below that of Inspector, or if the Local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard, on which shall be painted in large letters in English and in the vernacular of the district his name and the words "Licensed to deal in arms ammunition and military stores."

(2) He shall also affix in his place of business or shop a copy of section 28 of the Indian Arms Act, 1878, in English or in the vernacular of the district.

Conditions 5 to 15 are similar to those of Licence Form IX.

## FORM XI—[See Rule 28 (2) (a)].

FEE—(a) where the licensee holds a licence in Form IX, FREE OF ALL CHARGES ;

(b) in all other cases, TWENTY RUPEES.

*Licence to manufacture, convert, sell or keep for sale breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles.*

Serial number of licence and of duly authorised agent or agents, if any.	Name, description and residence of licensee.	Place of business, factory or shop.	DESCRIPTION AND NUMBER OF ARMS		DESCRIPTION AND QUANTITY OF AMMUNITION OR MILITARY STORES.		Date on which the licence expires.
			To be manufactured or converted	To be sold or kept or sale	To be manufactured.	To be sold or kept for sale.	
1	2	3	4	5	6	7	8
							<i>In Burma—</i> The 31st March 19 <i>Elsewhere—</i> The 1st December 19 .

(Signature.)

The — of — 19 .

Seal.

Secretary to the —

Commissioner in Sind.

*Form for renewal of the Licence.*

Date and year of renewal.	Date on which the renewed licence expires.	Secretary to the Local Government
		Commissioner in Sind
		Commissioner [if empowered under the proviso to rule 42 (3)].

*Conditions.*

Conditions 1 to 3 are identical with conditions 1 to 3 of Licence FORM X.

4. (1) He shall affix on a conspicuous part of his place of business factory or shop a signboard on which shall be painted in large letters in English and in the vernacular of the district his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition and military stores for rifles."

(1) The heading "see rule 28 (2) (a)" were substituted for the words "See Rule 26 (2) (a)" by the *addenda* and *corrigenda* dated the 9th January 1924.

(2) The words parts of "breech-loading rifles" wherever they occurred were added by notn. no. F. 21-XIII-26, dated the 22nd July 1926.

FORM XI—*contd.*

(2) He shall also affix in his place of business, factory or shop a copy of section 28 of the Indian Arms Act, 1878, either in English or in the vernacular of the district.

5. He shall at the time of purchase of arms, in the North-West Frontier Province at the time of purchase of all ammunition, and elsewhere at the time of purchase of ammunition for rifles other than '22 bore, revolvers or pistols endorse upon the licence of every purchaser holding a licence in form XVI, XVII, XVIII, XIX or XX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the Local Government may direct.

8. He shall not sell breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles elsewhere than at the place of business, factory or shop specified in column 3.

9. He shall not keep Government arms, ammunition or military stores.

*Explanation*—For the purposes of this condition—

(a) "Government arms" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean, respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. (1) Where the licence is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides, or of the Commissioner of Police if the person resides in Rangoon.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of—

(a) any person who is exempted under entry (1), (4), or (6) (e) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

12. (1) Where the licence is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of—

(a) any person who is exempted under entry (1), (2), (3), (4), or (6) (d) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

13. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the licence.

## FORM XII [See Rule 28 (2)]

FEE—(a) where the licensee already holds a license in Form X,—FREE OF ALL CHARGES.  
(b) in all other cases—TEN RUPEES.

*Licence to sell and keep for sale breech-loading rifles, parts of breech loading rifles,  
rifle ammunition or military stores for rifles.*

Serial number of licence.	Name, description and residence of licensee, and of duly authorised agent or agents, if any.	Place of business or shop.	Description and number of arms.	Description and quantity of am- munition or military stores.	Date on which the licence expires.
1	2	3	4	5	6
					<i>In Burma</i> The 31st March, 19—. <i>Elsewhere</i> The 31st December, 19—.

(Signature)

Secretary to the—

Commissioner in Sind.

The — of — 19 .

*Form for renewal of the licence.*

Date and year of renewal.	Date on which the renewed licence expires.	Secretary to the Local Govt.
		Commissioner in Sind. Commissioner [if empowered under the proviso to rule 42 (3).]

*Conditions.*

*Conditions 1, 2 and 4, are identical with those of Licence FORM X.*

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard, on which shall be painted in large letters in English and in the vernacular of the district his name and the words "Licensed to deal in breech-loading rifles, parts of breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business or shop a copy of section 28 of the Indian Arms Act, 1878, in English or in the vernacular of the district.

Conditions 5, 6 and 7 are similar to conditions 5, 6 and 7 of Licence FORM IX.

8. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

Conditions 9 to 13 are similar to the corresponding conditions of FORM XI.

## FORM XIII—[See Rule 29].

FREE OF ALL FEE.

*Licence for the possession by holders of licenses in Form IX, X, XI or XII of firearms and ammunition deposited by their owners for safe keeping.*

Name, description and residence of licensee and of duly authorised agent or agents, if any	Description of firearms.	Place (with description, where articles are to be kept.)	*Period for which the license is valid.
1	2	3	4

The \_\_\_\_\_ of \_\_\_\_\_ 19 .

Seal.

(Signature.)

Commissioner of Police \_\_\_\_\_  
 District Magistrate of the \_\_\_\_\_ district.  
 Sub-divisional Magistrate \_\_\_\_\_ district.

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only firearms and ammunition of the description given in column 2 so long as they are kept in the place described in column 3 but does not authorise the licensee—

(i) to go armed, or

(ii) to keep Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

"Government ammunition" means ammunition manufactured in any Government factory or prepared for and supplied to Government.

3. The licensee shall maintain a register of all arms and ammunition in his possession under this licence in such form as the local Government may direct.

4. He shall exhibit such arms and ammunition and his register on the demand of any\* Magistrate or any Police officer of a rank not below that of Inspector, or if the local Government so directs, of Sub-Inspector.

5. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms or ammunition covered by the licence.

\* Note—A licence in this form will be granted for a period ending on the day on which the licensee's licence in Form IX, X, XI or XII as the case may be, is due to expire.



## FORM XIV—[See Rule 31].

FREE OF ALL FEES.

*Licence for the possession of arms (other than pistols or revolvers), ammunition or military stores.*

Name, description, and residence of licensee and agent (if any).	Number and description of arms.	AMMUNITION OR MILITARY STORES.		Place (with description where articles are to be kept.)	* Period for which the license is valid.
		Description.	Quantity.		
1	2	3	4	5	6

(Signature)

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_

Seal.

 Commissioner of Police, \_\_\_\_\_  
 District Magistrate of the \_\_\_\_\_ district.  
 Sub divisional Magistrate \_\_\_\_\_ district.
*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the arms, ammunition and stores specified in columns 2, 3 and 4 so long as they are kept in the place described in column 5, but does not authorise the licensee—

- (i) to go armed, or
- (ii) to keep Government arms or ammunition.

*Explanation*—For the purpose of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

3. Condition 2 (ii) may be cancelled by the authority granting the licence, if empowered to do so by the Local Government, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

4. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

5. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence, whether the weapon for which it has been granted is still in the possession of the licensee, and may require the production of the weapon for the purpose of such an inquiry.

\*NOTE (1). A licence in this Form may be granted for any period not exceeding three years.

Note (2). Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 27 of the Act) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine or with both.

## FORM XV—[See Rule 32.]

FEE—(a) For each breech-loading pistol or revolver—TEN RUPEES.

(b) For any other breech-loading weapon—FIVE RUPEES.

(c) For other weapons—EIGHT ANNAS in disarmed districts, and FOUR ANNAS elsewhere, each weapon.

The above-mentioned fees are for licences granted for periods of one year or less. A licence in this Form may be granted for any period exceeding one year and not exceeding three years, in which case a compounded fee shall be levied.

*Licence for the possession and use, for the purpose of target practice, of firearms and ammunition.*

Serial number of licence.	Name, description and location of mess, club or association.	ARMS OR AMMUNITION THAT LICENCEE IS ENTITLED TO POSSESS.		Place within which the licence is valid.	Date on which the licence expires.
		Description.	Quantity.		
1	2	3	4	5	6

(Signature)

The — of — 19 —

Seal.

Commissioner of Police —  
District Magistrate — district.  
Sub-Divisional Magistrate of the — district.

#### Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, (XI of 1878), and of the Indian Arms Rules, 1924.

2. It covers only the mess, club, or association named and the arms and ammunition described therein.

3. The mess, club or association, at the time of purchasing any new arms, and in the North-West Frontier Province at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles, other than '22 bore, revolvers or pistols shall cause the following particulars to be endorsed upon its licence under the vendor's signature, namely :—

(a) the name, description and residence of the person who takes delivery of the articles purchased on behalf of the mess, club or association ;

(b) the nature and quantity of the articles purchased ; and

(c) the date of purchase.

and, if the arms or ammunition are purchased from any person other than a licensed dealer, shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed by that authority for this purpose.

4. The mess, club or association shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government

5. This mess, club or association shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

6. The licence does not authorise any member of the mess, club or association to keep Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government ;

(b). "Government ammunition" means ammunition manufactured in a Government factory or prepared for and supplied to Government.

7. The local Government may require any firearm or ammunition possessed by the mess, club or association to be registered in such manner as the Local Government thinks fit.

8. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence whether the weapons for which it has been granted are still in the possession of the mess, club or association and to require the production of such weapons for the purposes of such enquiry.

## FORM XVI—(See Rule 33).

FEE—I (a) If the licence is granted for a ammunition of the kind referred to in rule (33) (1), proviso (ii)—*Free of all Fee*;

(1) (b) in the N.-W. F. Province, and the Attock District of the Punjab, if the licence is granted for the purposes of village defence, *Free of all Fee*, otherwise—

(i) in disarmed districts, *Eight Annas*, and (ii) elsewhere, *Four Annas* for each weapon; and

(c) elsewhere in British India—

(i) for a breech-loading pistol or revolver, *Ten Rupees*, (ii) for any other breech-loading weapon, *Five Rupees*, (iii) for other weapons, *Eight Annas* in disarmed districts and *Four Annas*, elsewhere,

for each weapon.

Provided that in Burma licences granted for the purpose of village defence shall be granted free of all fee—

II. The above mentioned fees are payable in respect of licences granted for the first time for the period of one year or less. Should the licence be renewed for a further period, and unless the licence is free of all fee, the following fees shall be payable in respect of each renewal for a period, of one year or less.

(i) in cases to which clause (b) in paragraph I applies, the same fees, and,

(ii) in cases to which clause (c) in paragraph I applies, *five rupees, rupees two and annas eight and annas eight, or annas four*, respectively, provided that in such cases application for renewal is made within one month of the date on which the licence expires and if application is not made within that period, the licensing authority may, in his discretion levy fees at the original rate.

III. A licence in this Form may be granted or renewed for any period not exceeding three years, and if the period for which a licence is granted or renewed exceeds one year, the fee shall, subject to the proviso to clause (ii) in para. II be levied at the annual rates hereinbefore prescribed for grant or renewal as the case may be.

*Licence for the possession of arms and ammunition and for going armed for the purposes of "sport/protection/display"*

Serial number of licence.	Name, description and residence of licensee and agent (if any).	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS		RETAINERS (IF ANY) COVERED BY THE LICENCE.			Arms or ammunition that retainer is entitled to possess.		Extent of validity of licence, i.e., throughout India, province or district.	Date on which licence expires;
		Brief description of each weapon with details e.g., distinguishing marks, register number, etc.	Quantity and description of each kind of ammunition.	Name of retainer.	Name of retainer's father.	Address of retainer.	Brief description of each weapon with details e.g., distinguishing marks, register number, etc.	Quantity and description of each kind of ammunition.		
1	2	3	4	5	6	7	8	9	10	11

(Signature).

Commissioner of Police

Deputy Commissioner of Police.

Assistant Commissioner of Police.


District Magistrate of the ——— district.

Sub-divisional Magistrate of the ——— district.

The ——— of ——— Is .

Seal

*Form of renewal of the Licence*

Date and year.	Date on which renewed licence expires.	Signature.
		 <u>Commissioner of Police</u> — <u>Deputy Commissioner of Police.</u> <u>Assistant Commissioner of Police.</u> <u>District Magistrate</u> — <u>District</u> <u>Sub-divisional Magistrate</u> — <u>Sub-</u> <u>division, District</u> —

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 5.

3. This licence is valid to the extent specified in column 10, subject in the case of a licence having effect outside the province in which it is granted or renewed to any restrictions which may be imposed by any general or special order of a local Government in respect of the territories administered by it or subject to its control.

4. The licensee or any retainer acting under this licence shall not go armed with <sup>sport</sup> any arms covered thereby otherwise than in good faith for the purpose of <sup>display</sup> protection ;

and, save where he is specially authorized in this behalf, in any Presidency-town or Rangoon, by the Deputy Commissioner of Police, or in any other place, by the Assistant Commissioner of Police, or a Sub-divisional Magistrate, he shall not take any such arms to a fair, religious procession or other public assemblage.

5. The licensee, at the time of purchasing any new arms, in the N. W. F. Province at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles other than '22 bore, revolvers and pistols shall cause the following particulars to be endorsed upon his licence under the vendor's signature, namely:—

(a) the name, description and residence of the person who takes delivery of the articles purchased ;

(b) the nature and quantity of the articles purchased ; and

(c) the date of purchase ;

and if the arms or ammunition are purchased from any person other than a licensed dealer shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed for this purpose by such authority.

6. He shall not purchase ammunition for rifles other than '22 bore, revolvers and pistols in excess of the maximum which may from time to time be fixed by the local Government.

7. He shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

8. He shall not possess Government arms and ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government ; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

9. Condition 8 may be cancelled by the authority granting the licence if empowered to do so by the Local Government, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

10. Where the licence is granted for the purpose of sport, the licensee or any

retainer acting under the licence shall observe such close season as may be prescribed by the Local Government in respect of the game-birds and animals hereinafter set forth below.

11. The licensee shall report any change of his permanent residence to the authority who granted him the licence, and, in case of any such change, whether permanent or temporary, he may, at his option, apply to the nearest licensing authority for renewal of this licence should it be necessary.

12. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence whether the weapon or weapons for which it has been granted is or are still in the possession of the licensee, and to require its or their production for the purposes of such inquiry.

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NOTE (1).—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

NOTE (2).—As note (2) on page 166.

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FORM XVI-A. Free of all Fee. (Rule 33, page 106).

Licence for the possession by a retainer of arms and ammunition and for  
 going armed for the purpose of sport  
protection.  
display

Serial number of licence.	Name, description and residence of person exempted under Schedule I (1) (a) nominating licensee.	Name and residence of licensee.	Name and residence of father of licensee.	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		Extent of validity of licence i.e., through India, province or district.	Date on which the licence expires or the date on which the person specified in column 2 ceases to be exempted under Schedule I (a), whichever is earlier.
				Brief description of each weapon with details, e.g., distinguishing marks, register no. etc.	Quantity and description of each kind of ammunition.		
1	2	3	4	5	6	7	8

(Signature)

Commissioner

Deputy Commissioner

District Magistrate

Sub-Divisional Magte.

} of Police.

} — District.

#### Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the person named in column 3 of this licence and the arms and ammunition described in columns 5 and 6.

3. This licence is valid to the extent specified in column 7, subject in the case of a licence having effect outside the province in which it is granted or renewed to any restrictions which may be imposed by any general or special order of a local Government in respect of the territories administered by it or subject to its control.

4. This licence shall only be granted to a person nominated in that behalf and certified to be his own retainer by a person exempted under article 1 (a) of Schedule I to these rules, and it shall only be granted in respect of the arms and ammunition specified in this behalf by and being the property of such exempted person.

5. This licence may be granted or renewed for any period not exceeding one year, provided that it shall expire on the date on which the person specified in column 2 of this licence ceases to be exempted under article 1 (a) of Schedule I to these rules, where such date is prior to the date on which it would ordinarily expire.

6. The licensee shall not go armed with any arms covered by this licence otherwise than in good faith for the purpose of sport, protection or display and, save where he is specially authorised in this behalf, in any Presidency-town or Rangoon by the Commissioner of Police, or, in other place, by the District Magistrate or a Sub-Divisional Magistrate, he shall not take any such arms to a fair, religious procession or other public assemblage.

Conditions 7 to 12 and 2 footnotes are similar to those of license form XVI.

This form was added by H. D. notn. no. F-II-XXIII-27 dated the 26th Feb. 1929,  
 NOTE (1)—As note (2) on page 166.

## FORM XVII.—(See Rule 34.)

Fee for each weapon—ONE RUPEE.

*Temporary licence for the possession of arms and going armed during the period occupied in journeying from the port or other place of arrival in British India to place of destination.*

Name and description of licensee.	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		Place of destination	Period for which the license is valid.
	Brief description of each weapon.	Quantity and description of each kind of ammunition.		
1	2	3	4	5

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_.



Date on which copy is sent to the  
 Commissioner of Police \_\_\_\_\_  
 District Magistrate \_\_\_\_\_ district  
 Political officer of \_\_\_\_\_ State

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_.

Signature,  
 Commissioner of Police \_\_\_\_\_  
 District Magistrate \_\_\_\_\_ District

#### Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the persons named, and the arms and ammunition, described therein.

3. The licensee shall not, unless specially empowered in this behalf by the authority granting the licence, go armed to a fair, religious procession or other public assemblage.

4. The licensee shall not go armed with Government arms or ammunition.

*Explanation* :—For the purposes of this condition—

“Government arm” means a firearm or other weapon which is the property of Government; and

“Government ammunition” means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

5. Condition 4 may be cancelled by the authority granting the licence if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

6. The licensee shall, on arrival at his destination, if such place is situated in British India or Berar, forthwith apply to the nearest licensing authority for a licence in Form XIV or Form XVI in respect of the arms and ammunition described herein and shall at the same time deliver this licence in original to that authority.

**NOTE (1).**—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

**NOTE (2).**—Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 27 of the Act) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine or with both.

## FORM XVIII.—(See Rule 35.)

FREE OF ALL FEE.

*Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle.*

Name, description and residence of licensee.	ARMS AND AMMUNITION.		Place or area for which the licence is granted.	Specification of the wild beasts which may be destroyed under this licence.	Period for which the licence is valid.	Title and residence of Magistrate to whom the licence and weapon must be shown between the 15th November and the 31st December.
	Brief description of each weapon with details e.g. registered no. and other distinguishing marks.	Quantity and description of each kind of ammunition.				
1	2	3	4	5	6	7

(Signature).

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_.

Seal.

District Magistrate of the \_\_\_\_\_ district.  
Sub-Divisional Magistrate—\_\_\_\_\_ district.

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. Once every year between the 15th November and the 31st December, the licensee shall produce this licence and every weapon covered thereby before the Magistrate referred to in column 7.

3. He shall not go armed with any arms covered by this licence otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle; nor shall he take any such arms to a fair, religious procession or other public assemblage, or to any considerable distance beyond the place or area entered in column 4.

4. He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

5. He shall not keep Government arms or ammunition.

*Explanation*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

6. Condition 5 may be cancelled by the authority granting the licence, if empowered to do so by the local Government, and endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

7. Similar to condition 8 of Licence Form XIX, page 174.

8. " " " " " XVI, " " 169, ante.

9. Without prejudice to the voidance of this licence for breach of any of the foregoing conditions, it shall void if—

(a) the licensee dies, or

(b) any weapon covered thereby—

(i) is sold, or

(ii) is attached in execution of a decree.

Condition 10 correspond to condition 10 of Licence Form XIX, page 174, post.

NOTES (1) and (2) as of Licence Form XIX, page 174,



## FORM XIX.—(See Rule 86.)

FREE OF ALL FEE.

*Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.*

Name, description and residence of licensee	Name and description of any member of the licensee's family, or servant employed to watch crops or cattle, residing with him, by whom the arms covered by this licence may be also used.	ARMS AND AMMUNITION.		Place or area within which the licence is valid.	*Period for which the licence is valid.
		Brief description of each weapon with details e.g., registered number and other distinguishing marks.	Quantity and description of each kind of ammunition		
1	2	3	4	5	6
					From— To—

The ——— of ——— 19 . District Magistrate of the ——— district.  
Sub-divisional Magistrate ——— district.

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of Indian Arms Rules, 1924.

2. The licensee shall not go armed with any arms covered by this licence otherwise than in good faith for the destruction or driving away of wild animals which do injury to the crops or cattle situated in the area specified in the licence.

3. He shall not use any arms covered by this licence otherwise than in the place or area in which the licence is valid.

4. He shall not lend any arms or ammunition covered by this licence to any person, other than a member of his family, or servant who may be employed by him, to protect the crops or cattle situated in the area specified in the licence and who is mentioned in column 2 of the licence.

5. He shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

6. The licensee shall not keep Government arms or ammunition.

*Explanation*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

7. Condition 6 may be cancelled by the authority granting the licence if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

8. The licensee shall not purchase rifle, revolver or pistol ammunition in excess of the maximum which may from time to time be fixed by the Local Government.

9. This licence shall be void if the licensee commits a breach of any of the above conditions or if the licensee dies, or if any weapon covered thereby—

(i) is sold,

(ii) is attached in execution of a decree.

10. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence whether any weapon for which it has been granted is still in the possession of the licensee, and to require production of the weapon for the purposes of such inquiry.

\*NOTE (1).—A licence in this Form may be granted for any period not exceeding three years.

NOTE (2).—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500, or with both, (Section 21 of the Indian Arms Act, 1878).

NOTE (3).—As note (2) of condition XVII on page 172.

## FORM XX (See rule 37.)

## FEES.

(i) when granted under rule 37 (1) (a) and (b), FOUR ANNAS FOR EACH WEAPON.

(ii) when granted under rule 37 (1) (c), FREE OF ALL FEE.

EXCEPTION.—A fee of Rs. 10 is charged for a licence in this Form in respect of a pistol or a revolver in all provinces other than the North-West Frontier Province.

*Licence for going armed on a journey in or through any Province.*

Name, description and residence of licensee and agent (if any).	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO CARRY.		RETAINERS (IF ANY) COVERED BY THE LICENCE.				Place of departure, route and place of destination.	Period for which the journey is likely to occupy.	Period for which the licence is valid	
	Brief description of each weapon with details e.g., regtd. number and other distinguishing marks.	Quantity and description of each kind of ammunition.	Name of retainer.	Name of retainer's father.	Address of retainer.	Arms or ammunition that retainer is entitled to carry.				
						Description.				Quantity.
1	2	3	4	5	6	7	8	9	10	11
										From the— to the— —19 .

(Signature.)

The—of—19 .

Commissioner of Police—  
 District Magistrate of the—district.  
 Sub-divisional Magistrate,—district.  
 Political Officer for the—State.

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 4.

3. The licensee or any retainer acting under this licence shall not, unless specially empowered in this behalf by the authority granting the licence, go armed to a fair, religious procession or other public assemblage.

4. He shall not go armed with Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to the Government.

5. He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

NOTE (1) AND (2). Similar to those of Form XVII, page 172.

## APPENDIX TO SCHEDULE IV [Clauses (7) and (8), page 142].

Tahsil.	Tract.	Village.
Mansehra ...	Kagan ...	Songar, Ghanual, Hangrai, Bela Kawai, Bhunja, Jared, Manur, Phagal, Kamalbun, Bhutandes, Kagan.
	Bhogarmang ...	Bhogarmang, Ilahimang, Chitta Batta, Bakki, Rathi, Kumber Doga, Judrasi, Giran Thali, Buzu Bela, Jhaila, Kanog, Bavi Bahak, Jahauri, Serian Kumashian, Kihar Sacha, Sacha Kalan, Sacha Khurd, Kalas Richari, Banda Banda, Chinsuch Pinjal, Jachha, Jabbar.
	Kounsh ...	Ichharian, Tarkual, Koth Tarli, Kund Tarla, Karmang Tarla, Jaigalli, Karmang Utta, Gerian Amsera, Hiv, Saluna, Bai Tarli, Chunarkot, Horai Khakku, Batnal, Chalundri Saldhar, Shakura, Khan, Malkan Galli, Hilkot Sithaulsadda, Rund Utta, Sahal, Dheri, Bhalai, Malukra, Khandla, Lachimang, Nasordi, Dheri Sadulla, Sharkuli, Bahinang, Bansacha, Chapri Bagru, Dheri Halmi, Nilban, Bhaleja.
	Balakot ...	Bhattika, Jahn, Laso Sultani, Koara, Lasso, Betseri, Sohal Mazulla, Bisian, Sohal Najafkhan, Taranns, Hassa, Baginohri, Nankot, Balakot, Guhora.
	Ghari Habibulla.	Doga, Sial, Bhuri, Karnaul, Barorkot, Lunda, Ghari Habibulla, Batoro, Kashtara, Hisari, Jabbi, Gulmaira, Sakhdare, Balola, Talat, Kat Phalla.
	Shinkiari ...	Dharial, Tanda, Sinkiari, Bedadi, Shanai, Dhudial, Firda-Banda, Bajua, Inayatabad, Baffu, Guli Bagh, Hafiz Bandi Tarli, Hamshirian, Lang, Maira Jia, Gandibian, Chitti Qatti, Teimi, Jabba, Machhipol, Mungon, Hathi Maira.
	Agror ...	Shamdara, Mahikra, Ughi, Bazar, Mologa, Haji Kamar, Dhara, Arbora, Bandi, Ghadaur, Kathai, Nur Bandi, Chajjar Utta, Phaganda Banda, Kot, Rashida, Manchura, Tarawara, Sufaida, Khabbal Tarla, Khabhal Utta, Shakkot, Bailian, Kulakka, Kotla, Jaspal, Ghanian, Dalhauri, Bagiran, Kundra, Chulandian, Tatoli, Tarwai, Didwar, Kewal, Manewal, Dewal. Shahtut, Gul-Dheri, Pir-da-Patta, Talwari, Chokhat, Shabto, Sambalbot, Ohajri, Barchar, Bholi, Atir, Kango, Chor Kalan, Kangalli.
	Bhair Kund ...	Kangri Sabar Shah, Malakufar, Muradpur, Banda Shakhn, Sherpur, Khanjangan, Khakki, Nankot, Tirba Tarta, Tirba, Utta, Bharkhund Utta, Bharkund Tarta, Timarkhola, Sikandar, Sussal, Shanai, Kabmian, Giddurpur, Mari Shahwali, Mari Safdar Shah, Mari Mukarab Shah, Muswal, Nilawar, Harida Maira.
	Mansehra ...	Data, Hariala, Kuhsala, Chakia, Sufaida, Hoddo Bandi, Ghazi Kot, Pakhwal, Mansehra, Panodi-Dheri, Banar Kot, Katkai, Chitta Batta, Sundasur, Rihar, Shuttur, Arab Khan, Phagla, Utar Sisha, Mundhar, Chathar, Maira Jamdali, Ghari Shah Khel, Banda Saidan, Jabri, Narbir, Pair, Khairabad.

Tahsil.	Tract.	Village.
Mansehra ...	Gharian ...	Busnud, Shalakki, Bhurj, Madan, Lallo Bandi, Chanja, Bai Bandi, Baidra, Shekhabad, Daibgiran, Jalla, Ganda, Shahelia, Balhag Tarli, Balhag Utti, Orga, Patha, Matial, Mobian, Rathion, Rehar, Husainian, Kharala, Barhali, Karer, Janj Kiar, Barat, Khoari, Bishga, Morbaffa (Abbatta), Morbaffa (Bara), Nurun, Lasson, Gheal, Kik, Nanoha, Manghur, Thali, Sha Bai.
	Gharian ...	Sial, Giramri, Bhial, Bandi Mutrach, Buzurgal, Pasial, Thathi, Chhetri, Rachhbam, Sohalan Tarli, Sohalan Utti, Banda Juggian, Pandi Thauna, Talhar, Sargal, Shugri, Kakot, Patheri, Lalleh-de-Bandi, Mochi Kot, Kishna, Paiva, Kumber Bandi,
	Shingri ...	Baian, Bandi Pir Dad, Mirpur Pashwal, Banda Munir, Sarai Niamat Khan, Sarai Dharmpani, Talhad, Chamad, Shingri, Bisala, Baraingalli, Kokal, Kandal, Gajjal.
Abbottabad ...	Kachi ...	Jabbi, Nakkeli, Khuhala, Bichha, Gul Banda, Kuthnali, Karm, Bibakki, Banda Loharan, Bhat, Banda Bakhtawar, Banda Naian, Nilor, Gurakki, Darwaza, Chinjaliala, Kachi, Chitti, Bir Hill, Soba, Nalaki, Ghanhari, Langar Amga, Kakotri, Jarl, Bhojwar.
	Baborhan ...	Jandakka, Bhurj, Darohar, Kosaki Bari, Kosaki Chotti, Thanna, Paswal, Sobra, Mihal, Banseri, Jatal, Butiala, Bain Mira, Baghhati, Bain Gogri, Chanrak Maira, Tatteh Bandi, Shadial, Saliat, Mukhbabhi, Gup, Joganmar, Kiani That-tiara, Todu, Thali, Ghali, Nala, Sar Bhangalar, Bagh.
	Sherwan ...	Khuda Khub, Hal, Barkot, Bhalorah, Kular Khetar, Kamhar, Gadda, Kuthiala, Bamuchhi Chira, Shoreh, Bhati, Sherwan Bara, Sherwan Chotta, Bicha Bara, Bicha Chotta, Dhundora, Ratta, Bandi Nikra, Kangrura, Pind, Gande, Lakbala, Chatta, Phuvar, Seri Sher Shah, Barila, Chairh, Kangar Tarla, Kangar Utta, Chorgiran, Juhara, Khalabat, Chamatti, Beri, Kharpahr, Kanula, Thathi, Chikarbani.
	Srikot ...	Srikot, Kundi, Amar Khana.
	Kulai ...	Kirphan, Dera, Lalo Galli, Onora, Kharkot, Tavi.
	Badnak ...	Muradpur, Saidpur, Pind, Khan Khel, Langar, Kundariala, Soabi, Kalingar, Mari, Gandaf, Ladrakki, Kharan, Ghanikot, Dabn, Bandi Lobial, Mahara, Chaintu, Haljudhal, Janjakka, Leldu, Jhokan, Polsala, Jasgiran Bola, Jagiran Pain, Bandi Kargraol, Kandiala, Sanda Ganda, Soddohan, Gharkala, Dhanaka, KundChamiaran, Dukkut, Barahan, Halkulu, Thani, Chandor, Chaubara Baghdavia, Gharlakkian, Badhawra, Roh, Ladarmaog Bodgiran, Khairi.
Haripur ...	Torbela ...	Burj Khanpur, Torbela, Mohat, Dal.

**RULES ISSUED BY LOCAL GOVERNMENTS UNDER SECTION 16 OF THE  
INDIAN ARMS ACT XI OF 1878, AS AMENDED BY ACT XX OF 1919.**

**MADRAS G. O. NO. 1823, DATED THE 28TH JULY 1920.**

1. (1) Arms, ammunition and military stores deposited at police stations under section 16 (1) of the Act, shall, if not returned or otherwise disposed of within one month from the date of their deposit, be removed to and lodged at the head-quarters police stores of the district.

2. With reference to paragraph 3 of G. O. No. 626, Judicial, dated 22nd April 1910, no separate register in the form prescribed therein need be maintained by dealers showing receipts and disposals of arms and ammunition occasionally received from persons who wish to effect their disposal. The registers which the dealers are required to maintain under rule 1 of the rules appended to this order may be utilized for the purpose.

3. The District Magistrates and the Commissioner of Police, Madras, will furnish the dealers in arms and ammunition, if any, in their respective jurisdictions, with copy of the rules appended to this order and of the instruction contained in paragraph 2 above.

*Notification.*—(1) Every licensed dealer with whom any arms, ammunition or military stores have been deposited shall give to the depositor a receipt and shall enter the necessary particulars in a register to be maintained by the dealer in the appended form.\*

(2) The licensed dealer shall furnish the Commissioner of Police or the District Magistrate with an extract of the Register on the day on which each deposit, return, sale or other disposal takes place. The officer receiving the extract shall depute an officer to check the extract with the dealer's register and initial each entry.

(3) The stock on hand with the licensed dealer together with the arms, ammunition or military stores deposited with him under section 16 (1) of the Act shall not exceed the quantity which he is licensed to possess.

(4) Subject to the provision of rule 6, any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of three years from the date of their deposit, be forfeited to His Majesty.

(5) Licensed dealers shall submit at the end of each quarter, viz, 31st March, 30th June, 30th September, and 31st December to the Commissioner of Police in the city of Madras and elsewhere to the District Magistrate, a statement showing the arms, ammunition or military stores that have become liable to forfeiture under rule (4).

(6) Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority when, if the person entitled to receive them back or dispose of them as required by section 16 (2) of the Act has not taken the required action, they shall be forfeited to His Majesty.

\* Form referred to in rule 3(1) above.

Receipts.	Disposal
1. Date of receipt.	6. How disposed of--whether by sale, return or other disposal.
2. Sender's name and address in full.	7. In case of sale or other disposal--purchasers or transferee's name and address in full and particulars of his licence.
3. Particulars of sender's exemption or licence.	8. In case of return of the weapons, date of return and name and address of person to whom sent.
4. Description of arms with maker's name and number, if any.	9. Date when due for forfeiture.
5. Description and quantity of ammunition and military stores.	10. Remarks.

**BOMBAY NOTN. NO. 953 DATED THE 10TH JUNE 1929.**

1. Every licensed dealer with whom any arms, ammunition or military stores have been deposited shall give to the depositor a receipt and shall maintain a register in the appended form.\* A copy of the register, certified as a true copy under the signature of the licensed dealer, shall be forwarded on the last day of each quarter, in the City of Bombay to the Commissioner of Police and elsewhere to the District Magistrate.

2. Arms, ammunition or military stores deposited at the police stations shall, if not returned or disposed of within three months from the date of their deposit, be lodged at the head-quarters police stores :—Provided that :—

(1) all arms so deposited and previously covered by a licence in Form XIX, Schedule VIII to the Indian Arms Rules, 1924, and

(2) all flint-locks and muzzle-loading guns and all cheap swords and other country made weapons may be lodged at the police station at the head-quarters of the taluka in which the police station at which they have been deposited is situated, or at the *Taluka Kacheri* if there is no accommodation at the *Taluka Kacheri* Head-quarters police station.

3. Subject to the provisions of rule 4 any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act, shall after the expiration of two years from the date of their deposit, be forfeited to His Majesty.

4. Licensed dealers shall not return arms, ammunition or military stores deposited with them to depositors except in the manner and to the extent permitted them for the sale of such arms, ammunition or military stores to such depositors.

5. Licensed dealers shall submit on the 31st of December of each year in the City of Bombay to the Commissioner of Police and elsewhere to the District Magistrate, a statement showing the arms, ammunition and military stores that have become liable to forfeiture under rule 3.

6. Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority when, if the person entitled to receive them back or dispose of them as prescribed by section 16 (2) of the Act has not taken the requisite action, they shall be forfeited to His Majesty.

FORM.\*—[ Rule 1 ]

Date of deposit.	Description, no. (etc.) of arms, ammunition or military stores.	Name and address of the depositor.	Date when due for forfeiture	Date and method of disposal.	REMARKS.
1	2	3	4	5	6

BENGAL NOTN. NO. 4774 PL. DATED THE 14TH NOV. 1929 AND PARA. 89 OF BENGAL RULES.

Owners who deposit their firearms and ammunition for safe keeping with a dealer holding a licence in Form XIII are not obliged to renew their possession-licence, if it expires while the firearm and ammunition so deposited are with the dealer. They may have their licence renewed through the dealer or any other person authorised by them on their behalf, if the licensing authority is prepared to renew their licences in their absence. If the licence is not renewed, the dealer continues to possess the deposited firearms and ammunition on the authority of his licence in Form XIII ; but the owner will have to renew his licence or obtain a fresh one, as the case may be, before he can take delivery of the deposited firearms or ammunition from the dealer. A register should be maintained in the following Form, by licensees under condition 3 of licence form XIII of Schedule VIII of the Indian Arms Rules, 1924. (Letter no. 39 PL. dated the 7th Jan. 1921).

Register of firearms and ammunition deposited for safe custody (*Vide* condition 3 of licence Form XIII). [Item no. 3-B. E. Form 184 (new) ]

Date of deposit.	Name of owner.	Address (including village police-station and district).	If exempted, how.	Number, date, duration and form of licence and authority by whom granted.	Number and description of arms and ammunition.	How disposed of
1	2	3	4	5	6	7

1. Any person depositing arms, ammunition or military stores with a licensed dealer in compliance with the provisions of sub-section (1) of section 16 of the Indian Arms Act, 1878, shall immediately inform the Commissioner of Police, Calcutta,

BIHAR AND ORISSA, NOTN. NO. 636 P. R., DATED THE 17TH MAY 1920 AND NO. 870 P. R., DATED THE 31ST MAY 1920.

1. Every licensed dealer with whom any arms, ammunition or military stores have been deposited shall give to the depositor a receipt and shall maintain a register in the appended form (identical with Bombay Form on page 179). He shall forward on the last day of each quarter to the District Magistrate a copy of the register certified as a true copy under his own signature.

2. Arms, ammunition or military stores deposited at police station shall, if not returned or disposed of within one month from the date of their deposit, be lodged at the head-quarters Court Police Office.

3. Subject to the provisions of rule 7 any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of three years from the date of their deposit, be forfeited to His Majesty.

4. The District Magistrate may prescribe fees on payment of which arms, ammunition or military stores shall be periodically oiled, cleaned, etc., at the police station or head quarters Court Police Office where they are deposited or lodged.

5. Licensed dealers shall not return arms, ammunition or military stores deposited with them to depositors or persons on whose behalf the deposits have been made except in the manner and to the extent permitted them for the sale of such arms, ammunition or military stores to such depositors or such persons aforesaid as the case may be.

6. Licensed dealers shall submit on the 31st December of each year to the District Magistrate, a statement showing the arms, ammunition and military stores that have become liable to forfeiture under rule 3.

7. Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date on which such minor attains his majority, when, if the person entitled to receive them back or dispose of them as prescribed by section 16 (2) of the Act has not taken the requisite action they shall be forfeited to His Majesty.

N. W. F. PROVINCE, NOTN. NO. 7103 G., DATED THE 2ND MAY 1922.

When any arms, ammunition or military stores have been deposited at a police station under section 14 or 16 of the Act, the officer-in-charge of the station shall affix to each weapon or article a ticket in form\* R. showing the name of the depositor and the date of the deposit, and shall give the depositor a duplicate or copy of the same. After seven days if the owner has not obtained a licence authorising him to possess them, the arms, ammunition or military stores shall be forwarded to the head quarters of the district and kept in the *Malkhana* of the Magistrate of the district or in the police Magazine. The ministerial officer to whom they are entrusted shall keep a register in form S\* in which the articles so deposited shall be described and entered under serial nos., and fresh tickets shall be affixed showing the owner's name and the corresponding nos. of the register.

2. Under the provisions of sec. 16 (2) of the Act, the depositor shall at any time before the expiry of three years from the date of deposit, be entitled.—

(a) to receive back any thing so deposited the possession of which by him has become lawful, and,

(b) to dispose, or authorise the disposal, of any thing so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale. (Para. 2 added by notn. no. 11909-G-14-62, dated the 18th Oct. 1929.)

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\* For forms R. and S., see at the end of N. W. F. P. local R. and O.

**RULES BY LOCAL GOVERNMENT UNDER SEC. 24 OF THE ARMS ACT  
FOR DISPOSAL OF CONFISCATED ARMS, AMMUNITION AND  
MILITARY STORES.**

**MADRAS.**

All arms, ammunition or military stores which may be forfeited under the Sea Customs Act or under other legal enactments, should be forwarded in the Presidency town to the Commissioner of Police, and in the mufassil to the Magistrate of the district, for disposal in accordance with the rules published on page 22 of Part I of the Madras Police Gazette, dated 13th February 1909. Such of these arms as are intended for destruction locally will be forwarded to the District Police Head-Quarter Office for destruction by the Police Armourer in the presence of the Reserve Inspector who should certify to the Magistrate that the arms have been properly broken up (Madras L. R. and O.)

**BOMBAY.**

Arms etc., deposited at a Police station under section 14 [or sec. 16] of the Act should, in the Presidency town be kept in such place as may be appointed by the Commissioner of Police, and elsewhere should, without delay be sent with a report by the officer in charge of the Police station to the nearest Mamlatdar's or Mahalkari's Kacheri. On the expiry of the period specified in these sections the arms etc., should be sold under the orders of the District Magistrates to a licensed vendor or person licensed to possess arms or to go armed, and may for that purpose be sent from one Mamlatdar's or Mahalkari's Kacheri to another or to the head-quarters of the district. Such arms as cannot be sold should, if valuable, be sent to the nearest arsenal, and if not valuable, should be destroyed. Confiscated arms and other articles should be dealt with in the same manner as provided for arms etc., deposited under sec. 14 [or sec. 16] of the Act, and not restored within the period specified in these sections [Bombay L. R. and O.]

**BENGAL.**

The court sub-Inspector shall follow the procedure indicated below in the case of all confiscated and forfeited weapons; but before doing so, he shall take the order of the Magistrate in charge of the working of the Arms Act, who shall, before a weapon is despatched to the Ordnance Office or is destroyed or is sold by auction or is transferred for the use of the police, or of any other department of Government, satisfy himself that its number and description agree with those given in the malkhana register. All arms, ammunition or military stores the possession of which has become unlawful, are to be deposited, under section 16 of the Arms Act and the rules made thereunder, either at a police station or with a dealer. The arms deposited at a police station shall be kept in the malkhana for one calendar year from the 1st January of the year following that in which they were deposited at a police station. Those deposited with a dealer shall be kept in the malkhana till January of the year following that in which they were received in the malkhana. Weapons on which an order of confiscation has been passed shall be kept in the malkhana till January of the year following that in which they were confiscated. Arms, ammunition and military stores as defined in section 4 of the Indian Arms Act, 1878, which are confiscated or forfeited under any provision of that Act or of any other enactment for the time being in force, may, if they can be utilised by the police or by any department under the Government, however be retained and brought into use at any time with the sanction of the local Government. If any such arms, ammunition or military stores are not so retained, they, with the exception of revolvers and pistols and of rifles of prohibited bores, should be sold by auction to licensed vendors, or to persons who by exemption or licence are entitled to possess them, the police being informed of the names and addresses of the purchasers in order to enable them to verify the sales. The sale in the mufassil should be conducted in January every year by a gazetted officer who should be selected for the purpose by the District Magistrate. In Calcutta, the Commissioner of Police will arrange for the auction to be held by Messrs. Mackenzie, Lyall & Co. The unsold arms, ammunition or military stores should be destroyed locally in the presence of the District Magistrate or of a gazetted officer whom the District Magistrate (or the Commissioner of Police in the case of Calcutta) may select for the purpose; but all rifles of prohibited bores, revolvers and pistols shall invariably be sent to the Ordnance Officer, Fort William, Calcutta, between 1st February and 15th March every year to be broken up or otherwise destroyed. The



Commissioner of Police, Calcutta, shall depute a responsible police officer to the arsenal to check and compare with the invoice the number and description of such weapons made over to the Ordnance Officer for destruction.

The weapons which have been deposited but not yet been forfeited may be sold by auction on the written application of the owner, the sale-proceeds being paid to the owner.

NOTE.—When despatching consignments to the arsenal, District Officer should send an intimation to the Commissioner of Police, Calcutta, together with a complete list giving the number and description of the weapons sent for destruction. Letter nos. 1585-1591-Pl., dated respectively the 17th May 1923 and 26th November 1929 and para. 97 of Bengal Rule 97.

#### UNITED PROVINCES.

The discretionary power of confiscating arms conferred by section 24 of the Arms Act should be very considerably used. A mere breach of licence is not ordinarily an adequate reason for confiscation; and junior Magistrate should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision (U. P., G. O. No. 454-VI-989 dated the 14th March, 1887).—Arms, and other articles to which these rules under Section 16 apply which become forfeited to His Majesty, shall be disposed of by the Magistrate as follows :—

(1) Arms, ammunition, and other stores which can be utilised by the police or by any other department under Government may be retained and brought into use with the sanction of the local Government. Arms ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled firearms or rifled barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunitions or stores not disposed of under the provisions of clause (1) shall be destroyed. [In case of gunpowder and other explosive materials Magistrates must make suitable arrangements for their safe custody, so as to guard against life and property. As a rule the police magazine should be the place of deposit for such materials]. These orders will apply also to arms, ammunition and military stores confiscated under section 24 of the Act (U. P. No. 1841-VI-856-D., dated the 29th June, 1907 and para. 86 of U. P. Rules.)

#### PUNJAB

Arms, ammunition or military stores that have become forfeited to His Majesty under rule XII or that have been confiscated under section 24, shall be disposed of as follows :—

(1) Arms, ammunition and stores which can be utilized by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled firearms or rifle barrels not so disposed of shall be sent to the nearest ordinance officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunition or stores not disposed of under the provisions of sub-rule (1) shall be destroyed. (Notn. no. 8103, dated the 5th March 1929, para. XIV).

#### NORTH WEST FRONTIER PROVINCES.

Arms, ammunition or military stores that have been forfeited to His Majesty under sections 14 and 16, or that have been confiscated under sec. 24 shall be disposed of as follows :—

(1) Arms, ammunition and military stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and military stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled firearms or rifled barrels not so disposed of shall be sent to the Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold. (3) Any ammunition or military stores not so disposed of under the provisions of clause (1) shall be destroyed. (Notn. no. 7103 G., dated the 2nd May 1922, para. IX of Rules).

## RULES FOR THE GRANT OF REWARDS UNDER SEC. 28 OF ARMS ACT.

## BOMBAY.

The Commissioner of Police, Bombay, and the District Magistrates, including the Agent to the Governor in Panch Mahals, the Political Superintendent, Thar and Parkar, and the Superintendent Upper Sind Frontier, have been authorised to pay a reward of not less than half the value of articles confiscated under Section 24 of the Arms Act to the Customs Officers, Railway servants, Public Carriers, Police officers, Steam-boat officers or other persons who may have given information which led to the detection of the offence, or who may have arrested the offenders or seized their arms under section 12 of the Arms Act.

It should be notified in the Bombay Government Gazette that rewards may be so paid and all heads of departments and agents of all Railways should be requested to explain to their subordinates and make as widely known as possible the provisions of the Act and particularly the responsibilities created by section 28 (Arms Act) and the rewards which may be earned (Notn. No. 5920, dated the 12th Oct. 1878.)

## BENGAL.

If a person is convicted of an offence punishable under the Indian Arms Act, 1878, reward may be granted to those officers or other persons who gave the original information which led to the conviction of the offenders, and also, if there be sufficient reason, to those who actually arrested the offender or seized the property in respect of which the offence was committed,

District Magistrates are empowered to pay such rewards at their discretion upto a limit of Rs. 100/- in each case, and upto Rs. 500/- with the previous sanction of the Commissioners of Divisions. Proposal for the payment of rewards exceeding Rs. 500/- shall be submitted through Commissioners of Divisions for the sanction of Government. In the town of Calcutta the Commissioner of Police is empowered to pay such rewards at his discretion upto a limit of Rs. 500/- in each case. Proposals for the payment of rewards exceeding this amount shall be submitted for the sanction of Government. Rewards may not be granted by Magistrates subordinate to District Magistrates. When a subordinate Magistrate convicts an offender under the Indian Arms Act, he shall submit the records of the case to the District Magistrate, together with his recommendation as to the grant of a reward and the persons to whom it should be paid and the District Magistrate shall pass such orders thereon as he may think fit. In fixing the amount of the reward the fact of the arms and ammunition being new or old, serviceable or unserviceable, should be taken into consideration. Rewards should be paid as soon as possible after the order of the Court of first instance is confirmed, or, if no appeal has been preferred, after the period allowed for appeal has expired.

Payments for rewards will be drawn up by District Magistrates in their contingent bills and charged against 'Criminal Court—rewards under the Arms Act—Contingencies' under the Major head '24 Administration of Justice'. In Calcutta rewards granted by Presidency Magistrates, or competent police authorities, should be met from the budget head '26 Police—Presidency Police' from the provision (a) under the primary unit 'Allowances honoraria, etc.,' if the reward is granted to a police officer or (b) under the primary, unit 'Supply and Services' in the case of rewards to a private person. Provision for rewards under these heads should be made by District Magistrates and the Commissioner of Police, Calcutta. (Bengal letter No. 5246 Pl. dated the 13th November 1928.)

Exceptional cases may occur in which it is desirable to grant rewards to officers or informers in cases which do not end in conviction, or in which judicial proceedings are not instituted. Rewards in such cases will be paid by the Police Department under departmental rules. The same procedure shall be followed in successful prosecution with regard to informers whose names it is not desirable to divulge. (Bengal Resn. No. 655 P. D., dated the 27th May 1914, letter, 1524 P. D., dated the 25th July 1914 and para. 86 of Bengal Rules).

Rewards in cases under the Indian Arms Act, 1878, should always be upon a liberal scale, but this is particularly necessary in the case of weapons which are habitually used for the purpose of murder and assassination. Large rewards should therefore, be given for information leading to the recovery of revolver, automatic pistol or magazine pistol or similar weapon possessed without lawful authority. (Bengal No. 8996-77 P., dated the 8th October 1914 and para. 87, Bengal Rules),

By section 28 of the Act every person employed upon any railway or any public carrier is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, to give information to the nearest Police officer regarding any box, package, or bale in transit which he may have reason to suspect contains arms, ammunition, or military stores in respect of which an offence against this Act has been or is being committed. Such persons although legally bound to furnish the information required, are eligible for the rewards mentioned in the proceeding rules. (Para. 88, Bengal Rules).

#### UNITED PROVINCES.

(a) When any arms or other articles, are confiscated under s. 24, the convicting Magistrate shall, immediately on conviction, pay a reward of not less than half the estimated value on the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and seizure of the arms or other articles. Such payments will be charged against Law and Justice, and be drawn by Magistrates in their contingent bills.

(b) Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward, not exceeding the amount of fine imposed, in such proportions as he may think fit to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.

(c) If no fine is inflicted, or if a larger reward than the fine imposed seems needed, *and in all cases in which persons apprehended or arms or other contraband articles seized* the Magistrate of the district is hereby authorised to pay rewards, at his discretion, to the persons who have contributed to the arrest of the offenders, or the seizure of the arms or other contraband articles, up to the limit of Rs. 100 in each case, and up to Rs. 500 with the sanction of the Commissioner of the Division. Rewards exceeding Rs. 500 shall not be paid without the sanction of Government.

(d) If such cases occur before a subordinate Magistrate, he should at once forward the papers connected with the case, together with his recommendation as to the amount of the reward and the person to whom it should be paid, to the Magistrate of the district, who will at once pass such orders thereon as shall seem required.

(e) Provisions for rewards under this rule should be made by Magistrates in their district budgets; but informers who bring to light breaches of the Arms Act should be rewarded under the rules relating to rewards of class (b) in paragraph 367 of the Police Regulations.

(f) Rewards payable to police officers shall be credited to the head "General Police Fund"—sub-head "one-half share of recoveries on account of police supplied for private entertainment creditable to Government, payable to the force as rewards" and drawn by the superintendents of police concerned when required for payment to the force. If the money has not been so deposited by the convicting magistrate the superintendent of police is not empowered to pay the reward. The balances under the sub-head mentioned above are carried forward from year to year and do not lapse to Government. (U. P. No. 982 IV-66-D-2 dated the 8th April 1907 and para 87 of U. P. Rules.)

#### PUNJAB.

(1) When any arms or other articles are confiscated under section 24, the convicting Magistrate shall, immediately upon conviction, pay a reward of not less than half the value of the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offenders and seizure of the arms or other articles. Magistrates should arrange for such payments by recommendation to the Police Department, at whose disposal there is a provision for such rewards under head 26-B-Police.

(2) Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offenders or the seizure of the arms or other articles. Arrangements for payment should be made as in the above rule. (Punjab notn. no. 8408 dated the 5th March 1929, paras. XV-XVI).

## NORTH WEST FRONTIER PROVINCE.

(1) When any arms or other articles are confiscated under section 24, the convicting Magistrate shall immediately upon conviction, pay a reward of not more than half the value of the confiscated articles, and in such proportion as he may deem advisable after due consideration of all the facts of the case, to the person or persons (Police Officers are included) who may have given information which led to the detection of the offence or who may have assisted in the arrest of the offenders and seizure of the arms or articles. Such payment will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills.

(2) Any Magistrate convicting an offender of any offence under the Act may at his discretion, grant a reward not exceeding the amount of the fine imposed, in such proportions as he may think fit, to any person or persons (Police Officers are included) who have contributed to the arrest of the offender or the seizure of the arms or other articles.

(3) The power vested in Magistrates by these Rules will be exercised subject to the supervision and general control of the District Magistrate. (Notn. no. 7103 G, dated the 2nd May 1922 and no. 3028 G, dated the 18th March 1923, paras. X to XIA).

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**Local Rules and Orders.—[Madras.]**

1. With reference to note (4) to section 15 of the Act on page 5, all arms, ammunition and military stores within the Malabar District, shall be deposited with the Officer in charge of the nearest Police Station and all licences issued for the possession or carrying of arms within the Calicut, Ernad, Walivanad and Ponnani talukas in the Malabar District are cancelled. (G. O., No. 260, dated the 30th January 1885, No. 355, dated the 6th Feb. 1885 and No. 222, dated the 10th September 1922.)

2. Guns, imported from and exported to Pondicherry, without a licence, are liable to be detained by the Customs Officer. They should in all such cases submit a detailed report to the Circle Inspector. All cases of smuggling of arms, ammunition and military stores should also be reported for the orders of the Circle Inspector. \*

(2) In order that a firearm covered by a licence may be identified with the one described in the licence, its description should be as full as possible. "One double barrellled gun," for instance, without the maker's name and number or other identifying marks, is insufficient to describe the weapon in such a manner as to preclude the possibility of all attempts at fraud by the substitution of one gun for another, for any number of guns can be imported from the French territory with such a licence. The weapon of respectable sportsmen should not, however, be detained merely on this account. Should the description or the weapon given in the licence be defective, full particulars should be reported to the District Magistrate, through the Officer in charge of Land Customs, with a view to the defect being remedied.

3. A license is required for transport even within the confines of the same district. No licence, however, is necessary for the removal of ammunition from one magazine or ware-house to another in the same locality.

4. Search at Sayer stations.—*Vide* Note to section 11 of the Act, page 49.

5. Special exemptions.—*Vide* Note (3) under Schedule I, page 121..

6. The new forms of accounts for dealers in arms and ammunition prescribed in G. O. No. 1762 Judl. dated the 17th Dec. 1909, have been objected to on the ground that they will increase the amounts of scriptory work and stationary required to keep the accounts. The Government consider these objections not altogether unfounded but it is necessary that the registers should furnish complete information not only of the purchase of any lethal weapon but also of the identity of the various weapons in stock in order that it may be possible to trace them in case of theft. They have revised forms of stock book and sale book appended to these proceedings which should be used in lieu of those prescribed by G. O. No. 1762, dated the 17th December 1909.

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\* Rule 3—is based on the order of the Government of India referred to in note no. (3) to sec. 10 of the Act on page 48.

# LOCAL RULES AND ORDERS [MADRAS.]

7. The special stock book for firearms (Form C) is to be maintained in addition to the general stock book except by dealers who keep rebate book which gives all the information specified in the Form.

8. Dealers occasionally also receive arms and ammunition from persons who wish to effect their disposal, and the Government consider it necessary that all such arms and ammunition should be separately accounted for in an additional register (in Form D) showing receipts and disposal of such arms and ammunition.

9. Dealers in ammunition are also required to take out licences under the Explosives Act, and the conditions of these licences require the maintenance of stock books and sale books. The Government have prescribed the forms printed to be maintained under the Explosives Act. The forms of stock book and sale book are similar in principle to the forms prescribed under the Arms Act. Dealers who hold licences under both the Arms Act and the Explosives Act in respect of the same kinds of ammunition, or whose licences under the Explosives Act have been endorsed to have validity under the Arms Act, need keep only the stock books and sale books prescribed under the Arms Act provided that they contain columns to exhibit all the articles which the dealers are licensed to keep under both Acts.

10. District Magistrates and the Commissioner of Police are requested to inform all licensees concerned of these orders, and to see that the revised forms are brought into use.

## FORM A. (Madras Rule 6),

STOCK BOOK of , son of , resident of , licenced to manufacture, convert, sell or keep arms, ammunition or military stores according to licence

No. of 19 , in Form  $\left. \begin{array}{c} \text{XI} \\ \text{XII} \\ \text{XIII} \\ \text{XIV} \end{array} \right\}$  \* of the rules under the Indian Arms

Act, 1878, and licence, No. of , in Form  $\frac{A}{B}$  of the rule under the Indian Explosives Act, 1884.

Date of transaction.		Particulars of receipts and issues.		DESCRIPTION.										.303 loaded rifle cartridges.
				FIRE-ARMS.							OTHER WEAPONS, IMPLEMENTS, ETC.			
				.303 B. L. rifles.	.450 B. L. rifles.	B. L. rifles of bores ranging from .290 to .320 excluding .303 bore.	Other B. L. rifles.	B. L. arms (not rifled.)	Muzzle-loading arms.	Revolvers.	Pistols (magazine).	Swords.	Anvils.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	

\* Vide footnote to these forms on next page.

## DESCRIPTION.

AMMUNITION,														MILITARY STORES.		REMARKS.
'450 loaded rifle cartridges.	Loaded cartridges for rifles of bores ranging from '290 to '320 excluding '303 bore.	Other loaded rifle cartridges.	B. L. (not rifled) cartridges loaded locally.	B. L. (not rifled) cartridge imported from Europe, etc.	Cartridge cases.	Revolver cartridges.	Pistol cartridges	Gunpowder.	Percussion caps.	Fuses.	Gun-cotton.	Dynamite	Sulphur.	Lead bullets.	Lead bird-shot.	
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

NOTE.—(a) Column 2 should show (i) balance in stock, (ii) fresh receipts with descriptive details, such as, the name and address of the firm supplying them and (iii) day's total issuing according to sale book.

(b) Column 3 to 30—If any dealer has not a licence for any of the classes of arms, etc., specified, the unnecessary columns may be omitted. If on the other hand, he has a licence for any other defined species, an appropriate column should be added. The dealer's licence should be kept in the stock book for purposes of reference.

## FORM B, (Madras Rule 6)

DAILY sale and issue book of \_\_\_\_\_, son of \_\_\_\_\_, resident of \_\_\_\_\_ licensed to manufacture, convert, sell or keep arms, ammunition or military stores according

to licence No. \_\_\_\_\_ of 19 \_\_\_\_\_, in Form  $\left. \begin{array}{c} \text{XI} \\ \text{XII} \\ \text{XIII} \\ \text{XIV} \end{array} \right\}$  \* of the rules under the Indian

Arms Act, 1878, and licence No. \_\_\_\_\_, in Form  $\frac{A}{B}$  of the rules under the Indian Explosives Act, 1884.

DESCRIPTION.															OTHER WEAPONS, IMPLEMENTS, ETC.											
				FIRE-ARMS.																						
Date of sale.				Name and father's name of purchaser.				Profession of purchaser.				Residence of purchaser.														

\* For the corresponding present Forms—Vide Licence Forms IX to XII attached to the Indian Arms Rules, 1924.





### Maintenance of Arms Licence Registers and the Grant and Renewal of Licences in Form XVI.

11. All District Magistrates, Taluk Magistrates and Deputy Tahsildars and Sub-Magistrates in zemindari tracts and station-house officers will **keep in Form A, decennial registers of licences** issued under the Arms Act in Form XVI to persons residing in the areas with which they are respectively concerned. In the office of the District Magistrate a separate register will be maintained for each taluk or Deputy Tahsildari. In each taluk register the entries will be arranged by police stations and villages, the villages within the limits of each police station being arranged in alphabetical, or other convenient, order. A page or more will be allotted to each village, as may be found necessary, no village being omitted although no licensee resides therein. Entries relating to hamlets will be placed under the parent village. The page numbers of each taluk register will be consecutive throughout the register. An index of villages arranged in alphabetical order will be placed at the beginning of each taluk register. The serial number of the licence will be a fraction of which the number of the page of the register in which it is registered is the numerator and the number of the line is the denominator, preceded or followed by a letter indicating the taluk (e.g.  $\frac{26}{5}$ ). The entries in the registers maintained in subordinate offices which will be supplied in the first instance from the District Magistrate's office, must therefore correspond exactly, page to page, and line to line, with the entries in the register maintained in the District Magistrate's office. The District Magistrate will fix dates between the 1st and 15th January for the submission to him of each taluk register in the district. Necessary entries will be made in the District Magistrate's office in these **taluk registers** relating to all licences renewed or the renewal of which has been refused for the year just begun. The taluk register will be returned to the Sub-Magistrate with as little delay as practicable. About the 1st of the second month of each quarter each station-house officer will take or send his register to the Taluk or Deputy Tahsildar's office, as the case may be, have it checked with the register maintained in that office, and corrected and brought up to date. All officers of the Police Department of and above the rank of Inspector, will inspect the police-station register at every inspection of the station and see that it is properly maintained.

12. At the end of each **register, maintained in the office** of a District or Taluk Magistrate or Deputy Tahsildar, and at a police station, **an abstract** will be made in Form B showing the number or weapons of each kind licensed in the taluk or station. A fresh abstract will be opened at the beginning of each year by counting the licences already granted or renewed for the year by the 1st January. Whenever an alteration is made in the body of the register, either by reason of the grant of a new licence or the cancellation of or refusal to renew an old licence, a corresponding entry will be made in column 1 of the abstract by quoting the register number of the licence, preceded by a + sign in the case of a new licence and a - sign in the case of a cancellation of or refusal to renew a licence; the necessary entries in columns II, III and IV

of the abstract will be made whenever a line in column 1st is complete the net total should then be struck in column II of the abstract.

13. **Applications for licences** may be sent to the District Magistrate or to the Taluk Magistrate or the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts, or to the station-house officers. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Applications received by the district Magistrate direct will be sent to the Taluk Magistrate or to the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts for report. Taluk Magistrate and Sub-Magistrate in Zamindari tracts will forward to the police for report only the applications which they receive direct or through their District Magistrate, from individuals whose character, status or reputation is unknown or doubtful; they will submit all others to the District Magistrate direct with their own reports. Station-house officers will forward their reports on applications for new licences to the District Magistrate through the Police Inspector and the Taluk Magistrate or the Sub-Magistrate in Zamindari tracts. Taluk Magistrate or the Sub-Magistrate in Zamindari tracts will see that the correct names of the village, hamlet (if necessary) and police station within whose limits the village is situated are correctly entered in the application before submitting it with his report to the District Magistrate. **Application for renewal of licences** should be submitted early during the last quarter of the year preceding that for which the renewal is desired as all weapons for the possession of which renewed licences have not been issued by the 1st January must be deposited in the police station. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Each application should be accompanied by the licence and may be sent either to the District Magistrates direct or to one of the other officers mentioned \* \* \*. Subordinate Magistrates and police officers, who may receive such applications, should submit them at once without remark (unless some reason for refusing renewal is already known to them) to the District Magistrate direct.

14. District Superintendents of Police will issue instructions to their subordinates to report at once any information which may indicate that the **renewal of any licence is undesirable**. About the end of September in each year the Superintendent of Police and Taluk Magistrate and in Zamindari tracts, Deputy Tahsildars and Sub-Magistrates will supply the District Magistrate confidentially with any information which would appear to render the renewal of any existing licence inexpedient.

15. Licences will be issued in printed form in the vernacular. If the District Magistrate grants, renews, or declines to renew, a licence, he **should send the licence order** to the licensee either—(i) through the post, service paid, the nature of the contents being clearly noted on the cover in the vernacular (e. g., "licence for the possession of a gun"); or (ii) through the Taluk Magistrate, or the Deputy Tahsildar and Sub-Magistrate in the Zamindari tracts, or (iii) through the officer in charge of the nearest police station.

16. If the District Magistrate, on an application for a new licence, refuses to grant the licence, the order of refusal should be forwarded to the applicant through the Taluk Magistrate or Sub-Magistrate in Zamindari tracts for the information of the officer. If the licence or order sent by post is returned through the Dead Letter office, it should be sent out for delivery to the addressee through the local Taluk Magistrate or Deputy Tahsildar and Sub-Magistrate or the officer in charge of the nearest police station.

17. At the close of each month the District Magistrate will forward to the Subordinate Magistrates concerned **lists of the licences granted, renewed, cancelled or the renewal of which he has refused** during the month in Forms C and D. Licences renewed for the year following that in which the lists in Form C are sent need not be shown in the list. Licences the renewal of which is refused for the following year should be included in the lists in Form D, in order that action may be taken to see that the arm covered by the licence is not retained illegally by the licensee after the close of the year. If a licence is not renewed, the District Magistrate will state in the last column of the list in Form D, the reason for non-renewal (such as the death of the licensee, the transfer of the weapon by sale, gift or otherwise) and should see that the weapon is not retained by any person who is neither exempted from the operation of the Indian Arms Act in respect of such weapon nor licensed to possess it.

18. Not later than the 15th January of each year the District Magistrate will forward to the Superintendent of Police (in Form E) **lists of licensees** who have not applied before the 1st January for the renewal of their licences with the request that he will ascertain and report the causes of the omission, whether the arms have been deposited in the police station, and whether a prosecution has been instituted in each case in which the arms were not duly deposited in the police station, a separate list will be sent for the village in each police station. The list should be returned to the District Magistrate's office not later than the 15th March by the District Superintendent of Police with his report and recommendation whether the unrenewed licence should be renewed or not.

19. When the **Taluk registers** are submitted to the District Magistrate the District Magistrate will have them compared with the register maintained in his office, so far as the entries relating to the previous year are concerned, and corrected, if necessary, before the abstracts in the registers maintained by subordinate officers are compared with the abstract of the register maintained in the District Magistrate's office, the figures in the latter should be verified by counting the outstanding entries in the body of the register. The District Magistrate will include in his annual report brief remarks regarding the maintenance of these registers throughout his district. For this purpose the District Superintendent of Police will report annually not later than the 1st February to the District Magistrate of the maintenance of the register by station-house officers during the previous year.

20. Licensing officers may allow to licence-holders the following **minimum** quantities of ammunition :—

For smooth-bore breech-loading guns—25 loaded cartridges, or 1 lb gunpowder, 1 box caps, and 25 empty cases.

For muzzle-loading guns—1 lb gunpowder and 1 box caps.

For rifles—10 cartridges or 1 lb gunpowder, 1 box caps, and 10 empty cases.

For pistols and revolvers—50 cartridges.

21. The quantity of shot that may be possessed by licensee need not be entered in the licence as, under para. 6 of G. O. No. 1615 dated the 22nd Nov. 1909, birdshot when possessed in quantities not exceeding 1 cwt. at any one time, is exempt from the operation of the Indian Arms Act, 1878.

22. The following instructions are issued for the guidance of District Magistrates and the Commissioner of Police in regard to the registration of retainers in forms XVI and XIX (present forms XVI and XX) of the licence. These restrictions should be strictly observed:

(i) Retainers should be permitted only to those persons whose standing or circumstances are such that they may reasonably require retainers or servants to carry weapons in the ordinary course of duty. (ii) All applications for the inclusion of retainers must be dealt with by the District Magistrate or the Commissioner of Police in person. (iii) No change should be made in the names of retainers entered in a licence except under the signature of the District Magistrate or the Commissioner of Police who granted the licence or his successor in office. (iv) When retainers are licensed the fact should be clearly stated in the columns of the licence forms.

23. See Rules under section 16 of the Act, page 177.

24. Register for licences in forms XV and XVII [present forms XIV and XVIII] may be maintained in the appended forms A-1 and A-2. The forms will not be standardised and may be altered to suit local requirements. If District Magistrates find it convenient in districts where licences in these forms are few to enter them in the existing register A or in register A-3 appended, this may be done. For licences in form XVIII [present form XIX] to which the Government attach growing importance a separate register in form A-3 should be opened. This form will be standardised and new register may be written up during 1915.

25. Powers and duties of police officers under the Arms Act:—

(1) To arrest any person found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances, as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used for any unlawful purpose; (2) to take such arms, ammunition or military stores from him; (3) to take without unnecessary delay such person's arms, ammunition and military stores before a magistrate (section 12); (4) to disarm any person going armed without a licence or in contravention of the terms of a licence (section 13). The last named person commits an offence under section 19 (e) which is cognizable. He may therefore, be arrested, but this should not ordinarily be done unless the circumstances require it. The case will be reported to the magistrate having jurisdiction and a process obtained

26. (1) The offences detailed in sections 19 and 20 are cognizable. (2) The District Magistrate's sanction is requisite to a prosecution under section 19 (f), (section 29). (3) Under section 28 all persons are bound to give information of offences under the Act, which comes to their knowledge.

27. (1) Persons (whether licenced or not) are forbidden to go armed in railway carriages, to fairs, religious processions or other public assemblies, unless specially authorised by the officers granting the licences.

28. Responsibility of dealers—*Vide* notes to section 22 of the Act, page 69.

29. (1) A register of licences granted under the Arms Act, shall be maintained in every station. Rules for its maintenance and the grant and renewal of licences are given in para. 11 on page 191 *ante*. This register will be supplied by the District Magistrate. (2) The station licence register shall be taken to the Taluk clerk who keeps the register.

30. Disposal of confiscated arms.—*Vide* page 182.

FORM A—(Madras Rule 24)

Village.—

Register number	Residence of licensee (Hamlet.)	NAME.		Nature of the arms.	Nature of arms.	DATE OF RENEWAL, GRANT, CANCELLATION OR ORDER REFUSING RENEWAL OF LICENCE FOR THE YEAR. :—										Remarks showing dis- posal of weapon if license is not renewed.
		Of licensee.	Of his father.			19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	19 .	
Page Line																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

NOTE.—In column 5 R.=Rifle, G.=Smooth-bore gun, M.=Magazine, D. B.=Double-barrelled. S. B.=Single-barrelled, B. L.=Breech-loading. M. L.=Muzzle-loading percussion cap. Ma. L.=Match-lock. F. L.=Flint-lock, Re.=Revolver, P.=Pistol, B.=Bayonet, S.=Sword, D.=Dagger.

FORM A-1, (Madras Rule 24)

Police Station.—

Village.—

Register page line	Residence of the licensee (Hamlet).	NAME.		ARMS, AMMUNITION OR MILY. STORES COVERED BY LICENCE.		Place (with description) where articles are to be kept.	Period for which the licence is valid.	DATE OF GRANT OR RENEWAL					When licence cancelled or not renewed, disposal number, and date of District Magistrate's order and disposal of weapon.
		Of licensee.	Of his father.	Description.	Quantity.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FORM A-2, (Madras Rule 24)						Police Station.—		Village.—					
Register	page	number.	NAME.		ARMS OR AMMUNITION COVERED BY LICENCE.	Place or tract within which licence is valid.		PERIOD FOR WHICH THE LICENCE IS VALID.		PRODUCTION OF WEAPON AND LICENCE BEFORE MAGISTRATE.		When licence cancelled or renewed, disposal number, and date of District Magistrate's order and disposal of weapon.	
1	2	3	4	5	6	7	8	9	10	11	12		13
			Of licensee.	Of his father.	Description.	Quantity.	Place or tract within which licence is valid.	Specification of the wild beast which may be destroyed under the licence.	From	To	Date of production.	Designation of the Magistrate before whom produced.	

FORM A-3, (Madras Rule 24)						Police Station.—		Village.—			
Register	page	number.	NAME.		Name and description of any member of the licensee's family or servant residing with him and employed to watch crops or cattle, by whom also the arms covered by this licence may be used.	ARMS OR AMMUNITION COVERED BY LICENCE.		PERIOD FOR WHICH THE LICENCE IS VALID.		When licence cancelled or renewed, disposal number and date of District Magistrate's order and disposal of weapon.	
1	2	3	4	5		6	7	8	9		10
			Of licensee.	Of his father.		Description.	Quantity.	Place or tract within which licence is valid.	From	To	

FORM B. (Madras Rule A).—Abstract of the Number of weapons of the several kinds.

NOTE.—D. B.—Double barrellled; S. B.—Single-barrellled; B. L.—Breech-loading; M. L.—Muzzle-loading percussion-cap.

I															II															III															IV
Details showing the page number and line number of every new licence granted and old licence cancelled.															GRANTED.															GRANTED.															Date and initials of the Magis- terial Head Clerk.
															Rifled arms.					Smooth-bore guns.										Rifled arms.					Smooth-bore guns.										
															Magazine.	Double-barrelled.	Single barrelled.	D. B. B. L.	S. B. B. L.	D. B. M. L.	S. B. M. L.	Match-locks.	Flint-locks.	Revolvers.	Pistols.	Bayonets.	Swords.	Daggers.	Magazine.	Double-barrelled.	Single-barrelled.	D. B. B. L.	S. B. B. L.	D. B. M. L.	S. B. M. L.	Match-locks.	Flint-locks.	Revolvers.	Pistols.	Bayonets.	Swords.	Daggers.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15																

FORM C. [Madras Rule 17]—Proceedings of the District Magistrate of  
dated No. of 19 .

The District Magistrate of has been pleased to grant licences for  
the year 19 —19 under the India Arms Act to the following individuals  
residing in the Taluk of for the weapons specified against  
their names.

2. The Taluk Sub-Magistrate of is requested to cause the neces-  
sary entries to be made in this copy of the register of licences under the Indian Arms  
Act. The number and date of this order should also be entered in red ink in the  
appropriate column under the heading "Date of renewal, grant, cancellation or  
order refusing renewal.

Page number.	Line number.	Village and hamlet.	Licensee's name.	Father's name.	Nature of the arms.	Number of arms.	Police Station and Circle.
1	2	3	4	5	6	7	8

NOTE.—(1) The entries in column 3, 4, 5, 6, and 7 above should be neatly copied  
in the appropriate column of the licence Register on the page specified in column 1  
and in the line noted in column 2.

(2) In column 6, R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D. B.—Double  
barrelled, S. B.—Single barrelled, B. L.—breech-loading, M. L.—Muzzle-loading per-  
cussion cap, Ma. L.—Match-Lock, F. L.—Flint-lock, Re.—Revolver, P.—Pistol, B.—  
Bayonet, S.—Sword, D.—Dagger.

FORM D. [Madras Rule 17]—Proceedings of the District Magistrate of  
dated No. of 19 .

The District Magistrate of has cancelled or refused to renew for  
the year 19 —19, the licences issued under the Indian Arms Act to the following  
individuals residing in the Taluk of for the weapons  
specified against their name.

2. The Taluk Sub-Magistrate of is requested to cause the word  
"cancelled" to be neatly written in red ink in the register of licences issued in form  
XVI against each licence mentioned below immediately after the last "Renewal"  
entry. The entry in the "Remarks" column below should also be noted after the  
word "cancelled" with the Number and date of this proceeding. A red ink line  
should also be drawn through the entries in the register relating to the licence.

Page no.	Line no.	Village and Hamlet.	Licensee's name.	Father's name.	Nature of the arm.	Number of arms.	Police Station and Circle.	Remarks (Reason for cancellation and disposal of weapons)
1	2	3	4	5	6	7	8	9

\* E.g.—"Cancelled—Died L. C. Dis. No. 1-0904"; "Cancelled—weapon sold L.  
C. Dis. No. 2-1904"; "Cancelled unrenewed, L. C. Dis. No. 3-1904"; etc., etc.

NOTE.—In column 6 R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D. B.—  
Double barrelled, S. B.—Single-Barrelled, B. L.—Breech-loading, M. L.—Muzzle-  
loading percussion cap, M. L.—Match-lock, F. L.—Flint-lock, Re.—Revolver, P.—  
Pistol, B.—Bayonet, S.—Sword, D.—Dagger.

FORM E. [Madras Rule 18].—List of Persons who have not applied for the renewal of their licences in Form XVI in Division Taluk, District for the year 19 , on or before the 1st January 19 .

Number of the village and Hamlet if any.	Number and name of licensee who has not renewed his licence.	Father's name.	Nature of arms.	Number of arms.	Police Inspector's report as to the cause to the omission or renewal of licence in each case.	Remarks.	Order of District Magistrate.
1	2	3	4	5	6	7	8

NOTE.—In column 6 R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D. B.—Double-barrelled, S. B.—Single-barrelled, B. L.—Breech-loading M. L.—Muzzle-loading percussion cap, Ma. L.—Match-lock, F. L.—Flint-lock, Re.—Revolver, P.—Pistol B.—Bayonet, S.—Sword, D.—Dagger.

FORM NO. 26.—Report of the Inspection, held by the Inspector of Police of,—Circle, of shops licenced under the Arms Act and of shops declared under Rule 31 of the Rules under the Explosives Act to have been licenced under the Arms Act, for quarter ending—,

1	2	3	4	5	6	7	8	9	10	11	12
		•		Sulphur ... .. Shot ... .. Caps ... .. European gunpowder ... Country gun powder ... Blasting powder ... Fire-work.							
Name of licensee and date of Inspection.				Description of arms, ammunition or explosives.							
Place of Business.				Quantity licensed to be possessed for the whole year.							
Number and date of licence and the Form in which it is granted.				Balance on hand on 1st January in the shop and the magazine.							
Quantity licenced to be possessed at one time.				Manufactured or received from 1st January to date of Inspection.							
				Sold from 1st January to date of Inspection.							
				Balance on hand on date of Inspection in the shop and the magazine.							
				Whether accounts nos. 1, 2 and 4 are properly kept.							
				Remarks, noting whether a quantity in excess of licence was ever maintained.							

Inspector of Police,—Circle.



FORM No. 15.—Report of Inspection of Stock, Premises and Books of Person licensed under the Indian Arms Act in Forms to manufacture, convert, keep or sell arms, ammunition or military stores (G. O. No. 1453. Judl. dated 30th September 1882).

Name, father's name and residence of licensee.	Date and form of license.	Place of business.	Date of inspection by superior officer of police.	REMARKS.
1	2	3	4	5

Superintendent of Police.

FORM No. 79.

Serial number.	Date.	Particulars of arms.	By whom deposited or from whom taken.	RESIDENCE.		Signature of station house officer, owner, and a witness when arms are deposited.	If licence obtained, when.	If licence not obtained how were arms disposed of.	Designation of magistrate passing order.	Signature of owner for return of arms with date.	Signature of station-house officer, and date of disposing of arms.
				Village.	Taluk.						
1	2	3	4	5	6	7	8	9	10	11	12

31. In order to mitigate the inconvenience caused to travellers entering India by sea by the provisions of section 6 of the Indian Arms Act, 1878, the Government, after consulting the Board of Revenue (Separate Revenue), the Collector of Customs, and the Commissioner of Police, Madras, are of opinion that the instructions of the Collector of Customs issued in his departmental order No. 22, dated the 16th November 1920, are sufficient for the purpose. (G. O. No. 667, Judicial, dated 23rd September 1921).

The following departmental order (of the Collector of Customs No. 22, dated the 19th November 1920.) is issued tentatively in connexion with the procedure to be followed in respect of firearms brought by passengers from abroad proceeding to destinations up country without the necessary licences for importation or possession:—

(1) In cases where there is obviously no doubt about the social standing of the passenger, the firearms brought by such a passenger may be passed on payment of duty, if any, the owner being informed at the same time that he should obtain the requisite licence within a week of arrival at his destination. As a safeguard the address of the passenger should be taken and an intimation giving all necessary details in regard to the arm or arms and the owner thereof should be immediately sent by the Customs Collector of the port of importation to the licensing authority for the place to which the passenger is proceeding. (2) In cases, however, where the Assistant Collector, Preventive Department, at Madras, or the Inspector, or the Customs Collector at an outpost is doubtful as to the propriety of allowing any weapon to be removed without a licence, the existing procedure, viz., detention of the arm or arms until the necessary licence is produced, should be followed.

Notification.—Under the rule 43, sub-rule (2), of the Indian Arms Rules, 1920, (cf. present rule 48 (2), on page 114), the following procedure shall be adopted in respect of licences to be issued under the Indian Arms Act, 1878:—

Rule 31.—Vide Rule 34 of the Indian Arms Rules, 1924, on page 104.

Application for licences or duplicates thereof may be made on plain paper or on impressed stamps. In the former case the applicants shall supply impressed stamps of the value equal to the amount of fee, leviable, in respect of such licences or duplicates. In the latter case the balance of the fee leviable, after deducting from the licence fee the value of the stamp on which the application is made, shall be made good by non-judicial stamps to be supplied by the applicant. The stamped paper so prefixed to the applications need not contain anything but the signature of the applicant.

All applications should be in the annexed form\*. Application forms printed on plain paper may be obtained from the Commissioner of Police in the Madras City and Magistrates in the maffussil.

\* (Application for  $\frac{\text{new}}{\text{renewal of}}$  gun licence.)

1. Is the application for a fresh licence or for renewal of old licence?
2. Name of the applicant with father's name in full.
3. Residence.—Village, Taluk and Police station.
4. Occupation.
5. Description of arms or ammunition required to be possessed.
6. Purpose—
  - (a) Is it for protection? (b) Is it for possession only? (c) Is it for sport?
7. Area, which applicant wishes to go armed.
8. If retainers are required—
  - (a) Their number, (b) their names, (c) their addresses.
9. Is the licence required for an old weapon now in deposit, or for a fresh weapon to be purchased?
10. Whether applicant had applied for a licence at any time before, and if so with what result?

Date.

Signature of Applicant.

(G. O. no. 644 Judicial dated the 21st September 1921.)

32. A question has been raised, whether under rule 37 (3) [present rule 42 (3)] of the Indian Arms Rules, a licence granted in one district can be **renewed** in another district. According to this rule every licence may be renewed by the authority who granted that licence; it does not lay down that the licence shall be renewed by the very officer who granted it. The Government therefore consider that licensing authorities are competent to renew in their districts, a licence originally issued in another district by **licensing officers of his status**. (G. O. no. 237 Judl. dated the 21st June 1921).

33. Application for licences.—*vide* note under rule 40, page 109.

34. Rules under section 16 of the Act,—*vide* page 178.

35. Malabar District,—*vide* note (2) under section 15 of the Act, on page 51.

36. Bayonets, swords and daggers.—*Vide* note (5) under Schedule II, page 136.

37. It has been brought to the notice of Government that instances are becoming common in which **persons leaving the country** deposit their firearms with friends or others without ascertaining whether the persons with whom they deposit the arms possess the necessary licences or not and without intimating the fact of such transfer of arms to the licensing authorities. It is also reported that weapons so deposited are not infrequently used by persons who have no licence to use them. To deposit arms, except in the manner prescribed under the Arms Act, constitutes an offence punishable under the Act. The Government therefore desire to warn all licensees and the general public against such violations of the provisions

of the Arms Act and Rules. The proper procedure to be followed in such cases is for the licensee to deposit his weapons for safe custody in a police station or with a licensed dealer, *i. e.* the holder of a licence in Form IX, Form X, Form XI or Form XII of the rules. In the latter case a licence in form XIII, which is issued free of fee, should be obtained by the licensed-dealer for the possession of such arms. A licensee may also at his option leave his weapons, other than pistols and revolvers, with a private person, provided that a licence in Form XIV, which is also issued free of fee, is obtained in the name of such person. In the case of revolvers and pistols, however, a fresh licence in Form XVI, should (on payment of the prescribed fee) be obtained by the person in whose custody they are left. The Government trust that the procedure described above will be strictly followed in future by all licensees. (Madras G. O. no. 49 dated the 28th Jan. 1926).

38. It will be necessary in future to obtain licences from the local Government to re-import rifles of '303 and '450 bores and pistols and revolvers of '441, '455 and intermediate bores; but it will be left to the Customs authorities to give the necessary permission to re-import such weapons when the required conditions are satisfied. The re-importation of such weapons will be permitted only on the conditions specified; *vide* note no. (10) to Rule 7 (on page 84) referred to in Burma Cir. no. 42 of 1903). (Madras G. O. no. 658 dated the 2nd Nov. 1926).

39. The weapon known as "Zipo" or "Life Preserver" is subject to all prohibitions and directions contained in the Arms Act. (Madras notn. no. 968, dated the 9th Aug. 1930 and note (11) to sec. 4, page 39).

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1. *Objects of the Act*

*Note.*—The figures within brackets indicate the number of the Rules contained in the Bombay Police Manual, Volume I, 6th Edition, 1927.

1. (318) The main object for which the Arms Act was intended was the checking of importation of a dangerous cheap class of arms and the regulation of the possession of arms and the prevention of their being passed on to the disarmed districts, to the predatory classes in Indian States and to the hostile tribes on frontiers. The distinction between arms properly so called and those articles which are not arms at all but mere curiosities and useless as arms should be borne in mind. Also, as observed in Government Resolution No. 1436, Judicial Department, dated 12th March 1888, the distinction between import, export and transport must be noticed. The conveyance of arms or ammunition from one part of British India to another by land and continuously through British jurisdiction is transport. The passage of arms from one British district to another through Indian territory, or from Poona to Hyderabad (Deccan) through Sholapur involves both transport and export.

Licenses should be renewed by simple endorsements.

2. *Powers of Search and Detection of Offences.*

2. (319) (1) Police officers of not lower rank than an Inspector are empowered to make the search under section 25 of the Act.

(2) Police officers of not lower rank than a Sub-Inspector are the officers under section 30 of the Arms Act in whose presence a search of the nature named in that section may be made.

(3) A search, undertaken solely for the purpose of discovering unlicensed arms, should not be instituted anywhere without the express sanction of the District Magistrate previously obtained, and only in accordance with section 30 of Act XI of 1878. If unlicensed arms are discovered in the course of a search legally conducted for any other purpose, they should be sent to the District Magistrate for disposal under his orders. In that case the question whether a prosecution is to be instituted or not must, in view of the uncertainty which prevails as to the application of section 32, clause 2, of Act XXXI of 1860, (Vide note (2) to sec. 15 of the Act, p. 51) on the date on which Act of 1878 came into force, be left to his discretion. (Govt. cir., J. D., no. 16 J. dated the 4th Jany. 1907, and *erratum* no. 356 J. D., dated the 6th march 1907).

3. (320) Persons who may be in illicit possession of arms and ammunition, which are the property of Government should be prosecuted under the provisions of the Indian Arms Act.

(4) To prove that such arms and ammunition are the property of the State, all Government arms and small arms and machine gun

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Rule 1. (318) *Vide* notes under sections 6 and 10 of the Act, pages 45 and 47.

„ 2. (319) This cancels note (1) to S. 25 of the Act, page 71, so far as it relates to Bombay.

„ 2. (319) (2)—*Vide* note (3) to sec. 30 of the Act, page 75.

„ 3. (320) For the orders of the Govt. of India on which this rule is based, *vide* note (5) to rule 33, on page 102.

ammunition, whether manufactured in England or in India, will be stamped with a recognizable Government mark. Similarly Government arms which have been sold or given away will be suitably marked so as to show that they have ceased to be the property of Government. (Resn. no 4723 J. D. dated the 8th July 1896).

(2) On the method of showing the marks on Government small arms and machine gun ammunition and arms, see Govt. Res. J. D. No. 1031, dated the 19th Feb. 1909, and Resn. J. D. No. 1496, dated 12th March 1909.

### 3. *Powers of Patils and Others to Disarm*

#### 4. (321) Under section 13 of the Arms Act,—

Officers, sepoys and peons of the Salt Department on the Goa Frontier, and

#### (322) Police Patils

are empowered to disarm persons going armed in contravention of this section. The arms of which the person is dispossessed should be forthwith sent to the nearest Police Station. (G. R. no. 409 J. D. dated the 18th Jany, 1895). (For notes under sec. 13, see page 49).

### 4. *Prohibitions under the Act*

5. (323) *Vide* notn. no. 1223 Poll., dated the 20th July 1925 reproduced as notes (2) and (3), on pages 133—135.

#### *Places where the possession of arms is illegal*

*Note.*—It should be borne in mind that the mere possession of arms as distinguished from going armed is not illegal except in the places to which section 11 of Act XI of 1878 has been extended. The places to which section 15 has been extended are set forth in the volume of Local Rules and Orders, 1924, made under Enactments applying to Bombay. (*Vide* note (2) to sec. 15 of the Act on page 51).

### *Exemptions under the Act*

6. (324) For exemptions from the operation of all prohibitions and directions contained in the Indian Arms Act, see the compilation containing the Indian Arms Act, 1878, and the Indian Arms Rules, 1924. All amendments in the rules should be inserted at once on receipt so that the compilation may serve as a complete and up-to-date book of reference. (G. R., J. D. no. 6212 of 28th Oct. 1886; no. 5906 of 20th Oct. 1909; no. 1840 of 25th Feb. 1920 and no. 2581 of 6th Dec. 1923.)

*Note.*—Each member of the Indian Territorial Force or the Auxiliary Force is held responsible that the arms and ammunition issued to him are used solely on Corps duties, and warned that their use for sporting purposes is strictly prohibited and punishable under the civil law. (J. D., no. 500 of 29th Sep. 1905.)

7. (325) (1) The orders issued by Government under the Arms Rules of 1920 remain in force so far as they are not inconsistent with the Rules of 1924.

The Government of India have, however, directed that the persons who were exempted under entries 11, 11A, 11B and 12 of

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Rule 6. (324) The Act and Rules will be found, respectively, on pages 34-77 and 78 to 178 of this Manual, For exemptions in the Bombay Presidency, *vide* page 118 and notes to Schedule I on pages 121—124.

Schedule I appended to the Rules of 1920, but whose exemptions have been withdrawn under the Rules of 1924, should apply for life licences before the 30th June 1924. (Bom. no. 483 Poll. dated the 7th March 1924).

*Note.*—(i) In the case of title holders, this privilege can be claimed only by persons who received their titles before 1st January 1920 :—

(a) Members of any Order of Knighthood.

(b) Persons holding the Kaisar-I-Hind Medal.

(c) Persons holding titles conferred or recognized by the Governor-General in Council.

(d) Persons holding swords or other arms received as gifts from the Governor General in Council or a Local Government.

(e) Persons holding certificates received on the occasion of the assumption of the title of Empress of India by Her late Majesty Queen Victoria.

(f) Retired officers (other than retired subordinates, warrant, petty and non-commissioned officers) of the Royal Navy and retired British and Indian Officers within the meaning of section 7 (1) and (2) of the Indian Army Act 1911, in receipt, as such, of a pension.

(g) Landholders and Members of a Municipal Board or a Committee designated for exemption in any list issued in this behalf by a Local Government.

(h) All persons who before the first day of January 1920 had been admitted as members of the Distinguished Service Order, the Imperial Service Order, the Indian Order of Merit or the Order of British India, or had been awarded the Victoria Cross, the Military Cross, the Distinguished Flying Cross, the distinguished Conduct Medal, the Distinguished Flying Medal, the Long Service Good Conduct Medal, the Volunteer Decoration, the King's Police Medal, the Volunteer Long Service Medal, or the Indian Distinguished Service Medal.

(i) Such of the 2nd and 3rd class Sardars of the Deccan, of the 2nd class Sardars of Gujarat and of the Mewasi Chieftains of the Bombay Presidency, as were exempted under the Indian Arms Rules, 1909, and Meherban Fattesingh Gumansingh, the Chieftain of Chikhali.

(j) Persons holding the Naval decoration of D. S. C.

(Bom. H. D. no. 967 Poll., dated the 27th May 1924)

*Note.*—(ii) The following persons and classes of persons are still exempted under Schedule I from the prohibition of going armed and possessing arms without licence, but are required by the New Rules to register any firearms and ammunition in their possession in the manner indicated in paragraph 2 below (reproduced on page 123) :—

(a) His Excellency the Governor, Members of the Executive Council of the Governor, Ministers and members of the Indian Legislature, the Chief Justice, and Puisne Judges of the High Court, the Commissioner in Sind, the Judicial Commissioner and the Additional Judicial Commissioners of Sind.

(b) (1) Every Ruling Prince or Chief.

(2) Such members of the families of Ruling Princes or Chiefs and such nobles, officials or accredited agents of a State in India as may be designated by the Local Government or Political Officer concerned, on the occasion of his or their entering, passing through, or residing in British India with his or their retinues to such members as may in each case be agreed to, by the Political Officer concerned, under the special or general orders of—

(i) the Government of India.

(ii) A Local Government in respect of Ruling Princes or Chiefs whose political relations are with that Government.

(c) All officials of Indian States passing through British India on duty.

(d) Every Maharaja, Raja or Nawab whose title has been conferred or recognized by Government and every Peer, Baronet, Knight Bachelor and Knight of any Order established by the Crown.

(e) Every Consul and Consular Agent.

(f) The First Class Sardars of the Deccan and Southern Maratha Country States, the First Class Sardars of Gujarat, and such number of their retainers as the Government of Bombay may designate.

(g) Such Members of the Talpur family and Jagirdars and Zamindars in Sind as the Government of Bombay may designate.

(h) Every officer holding a Commission from His Majesty, every Officer of His Majesty's Indian Forces or of Indian State Forces or of the Indian Territorial Force, every person enrolled under the Auxiliary Force Act, 1920, and every warrant officer or Staff Sergeant of a British unit of His Majesty's Regular Forces, including a Warrant Officer or Staff Sergeant who is an instructor of the Auxiliary Force, India, or of the Indian Territorial Force.

This exemption applies only to one single-barrel rifle of '303 bore used solely for match-shooting purposes.

(i) Every Warrant Officer, non-commissioned officer and soldier in his Majesty's Regular Forces or in any Indian State forces who is in possession of a pass granted and signed by his Commanding Officer.

This exemption applies to such arms, if any, as are provided for sporting purposes by Government or from a regimental fund under the authority of the Officer Commanding the unit, and are entered in the pass. (Rule 3 of rules relating to shooting, accompanying G. R., J. D., 423 of 27th Jany. 1905.)

(j) Persons holding swords or other arms received by them as gifts from the Governor-General in Council or a Local Government or the Commander-in-Chief.

8. (326) (1) Revolvers borne or possessed by Police Sergeants, Sub-Inspectors or Officers of higher rank should be considered to be borne or possessed by them in the execution of their duty as public servants, and as part of their equipment, whether the revolvers are supplied to them by Government or not. Licences to cover them are therefore, not necessary. (Bom. no. 4486 J. D. dated the 15th May 1920 and no. 190 Poll. dated the 25th Jany. 1923).

*Note*—For list of Police Officers in the Presidency including Sind and the City of Bombay, who are permitted in the public interest to possess a revolver or pistol in addition to the regulation revolver or pistol forming part of the equipment, see Government Notification No. 1050 Poll. of 19-4-1927 published on page 1075, Part I, *Bombay Government Gazette*, dated 5th May 1927.

(2) No fee shall be payable by retired police officers, who are permitted to wear on ceremonial occasions or when calling on Government officials the uniform of the rank which they held in the force at the time of retirement, in respect of the grant or renewal of any license in form XVI under rule 33 of the Indian Arms Rule, 1924, for the possession or carrying of revolvers which formed part of their equipment as police officers. (G. O., no. 1118-Poll. dated the 7th Sep. 1921).

(3) Arms carried and possessed by officers of Government as part of their equipment, *e.g.*, revolvers in the case of military and police officers, and arms supplied by Government to subordinates of the Police, Forest, Postal and other departments, to be carried or possessed by them for their protection in the execution of their duty do not require a licence. (G. O., no. 9054 J. D., dated the 27th Oct. 1919).

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Rule 8 (326) (1) *Vide* notes under section 1 of the Act, page 35.

„ 8 (326) (2) Sub-rule (2) is obsolete—*Vide* clause (5) of Schedule VII, page 151.

(4) Section 1 (b) of the Indian Arms Act exempts a public servant or member of the Indian Territorial Force or the Auxiliary Force in respect of public arms from the operation of the Act; the exemption in the rules issued under that Act applies to other arms. (Bom. no. 7756 J. D. dated the 20th Novr. 1894).

(5) Bailiffs of Civil Courts are protected by section 1 (b) of the Arms Act from the prohibitions contained in the Act. The exemption, however, is not general but is restricted to those districts in which the conditions justify and require the carrying of arms and is limited to a sword, to be carried only in the course of duty in places to be specified by the District Magistrate on a representation from the District Judge. (Bom. no. 2245 J. D. dated the 26th Mrch. 1913).

9. (327) (1) All Portuguese officers (Military and Civil) passing through British territory from one part to another of the Portuguese territory are, on their giving a simple declaration that they are proceeding to Portuguese territory, allowed to transport their fire-arms without let or hindrance.

(2) A similar concession has been made by the Government of Portuguese India to British officers (Civil and Military) passing through Goa territory. (Endt. no. 6674 P. D., dated the 8th Oct. 1909).

(3) Parties of Portuguese armed police travelling across intervening British territory from one part of Portuguese India to another should be allowed to transport their fire-arms, provided that previous intimation of their intention has been received by the local British authorities. This arrangement does not extend to armed troops operating on the frontier between Portuguese and British territory.

(4) A similar concession has been made by the Government of Portuguese India to parties of British armed police passing through Goa territory on their way to British territory. Superintendents of Police should communicate direct with the Chief Secretary to the Government of Portuguese India or the local authorities before sending armed parties of police through intervening Portuguese territory. (Bom. no. 1309 P. D., dated the 24th, Feb. 1913 and no. 4340 P. D. dated the 30th Jul. 1913).

10. (328) Lead-cutting swords (G. R. J. D. No. 3295 of 26-4-97) *vide* note (5) to section 1, page 35.

11. (329) (1) Air-guns declared to be toys. *Vide* notes (6) and (11) to Sch. II, pages 136-137.

(2) Amorces,— *Vide* note (4) to section 4, page 38.

(3) Sulphur is exempt to an unlimited extent in the Bombay Presidency. (Bom. no. 2346 Poll. dated the 24th Nov. 1922)

(4) Lead bullets and birdshot. (*Vide* note (21) to Schedule II, page 138.

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*Para. 9. (327)* The orders of the G. of I. on which these paras are based will be found as note (4) to Schedule I., page 121.

*Rule 10. (328)* As regards gunpowder, etc. *Vide* entry 2 (iv) of schedule II, page. 142.



(5) Lead, required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) is exempted to any quantity in the Aden and in the districts of Karachi, Larkana, Sukkar and Upper Sind Frontier. (J. D. no. 5320 dated the 21st Feb. 1910).

*Note*—"Giffard Carbonic Acid Gas Guns" *Vide* note (3) to section 4, page 38.

#### 6. *Persons not exempted*

12 (330) (1) Honorary members of the Parsi Indian Territorial Force are not exempt from the Indian Arms Act. (Bom. no. 1850 J. D. dated the 29th March 1911).

(2) Soldiers of the Imperial Service Troops, proceeding on furlough, are not exempt from the operations of the Indian Arms Act but in the case of pensioned Non-Commissioned Officers of the troops the Government of India desire that the executive orders already issued in favour of their exemption should continue to apply to those who have already taken their pension or who may hereafter do so. (Bom. no. 3971 of the 14th July 1909.)

(3) With reference to entry (2) of Schedule I of the Indian Arms Rules, 1924, it has been ruled that police escorts of marriage parties of an Indian State are not to be considered as travelling "on duty" in British territory. (Bom. resn. no. 6255 dated the 2nd Sep. 1895).

#### 7. *Licenses and Passes*

##### (A) **Register of Licences**

13. (331) Registers of licenses of all kinds granted by the Commissioner of Police, Bombay, the District Magistrates and other officers empowered to grant licences, shall be kept by those officers.

14. (332) (1) All licences to go armed or to possess arms and ammunition should be sent to the parties for whom they are intended through the Sub-Inspectors, who should keep in their offices accurate registers of all the licences granted to persons within their respective charges: if the licences are sent direct to the licensees by the District Magistrate, extracts from the District Magistrate's registers should be sent to the Sub-Inspectors, and that, in the case of new licences, not renewals, the District Magistrate should, when forwarding a licence direct, require the licence-holder to appear at the police station with his licence and arm within one week in order that all particulars of the weapon may be correctly entered in the Sub-Inspector's register and the weapon numbered as usual, the Sub-Inspector being informed of the order communicated to the license-holder. (Bom. no. 2763 J. D. dated the 25th May 1908).

(2) Licences issued by District Magistrates to persons residing within railway limits should be sent for delivery and registration to the office of the Railway Sub-Inspector concerned, through the Superintendent of Police of the district in which the licensee resides. The District Superintendent of Police may, if necessary, keep a book in his office for the record therein of such particulars as he requires and supply the District Sub-Inspector of the Police station within whose local area the licensee resides with a copy thereof, if, in his

opinion, such a course is desirable in any particular case, (Bom. no. 1760 J. D. dated the 9th March 1914. and no. 4088 dated the 10th June 1914).

### (B) Licences for Extended Areas.

15. (333) A licence granted by a District Magistrate under sub-rule (1) of rule 33 of the Indian Arms Rules, 1924, and countersigned by a Commissioner is valid in such division of the Presidency (including Sind) as are specified by the Commissioner. There is no objection to the Commissioner specifying all the divisions of the Presidency (including Sind). (G. O. no. 3854 J. D. of the 23rd May 1913).

### (C) Licences for Manufacture of Arms

16. (334) When a person who repairs arms is also a maker of arms, he should provide himself with a licence in the latter capacity. No licence is required thereby for carrying on the business of repairing arms by blacksmiths, etc. (*Vide* note (5) to sec. 5 of the Act, page 44.)

### (D) Licences for Hyderabad State Subjects

17. (335) In cases where armed travellers from the Hyderabad State are proceeding direct, either to Bombay or to some station on the external frontier of India, a licence in Form XX granted by the Resident at Hyderabad shall cover the entire journey to the point of departure from British territory.

### (E) Passes and Licences for Soldiers and Reservists

(i) *Passes by Commanding Officers to serving sepoys on leave.*

18. (336) In order to provide for the closer control over the possession of private arms by Indian troops, the Government of India direct the observance of the following rules : —

(1) An Indian soldier, while absent from his regiment on leave, shall be exempt from the operations of sections 13 to 15 of the Indian Arms Act, in respect of such arms and ammunition only as may be covered by the pass granted to him by his Commanding Officer under Army Regulations, India, Volume II. If a soldier so absent is found to be in possession of arms and ammunition not covered by such a pass, he will be made over to the military authorities for trial.

*Note.*—A pass shall not be required for regimental sword of an Indian officer or mounted soldier proceeding on furlough, if permission to carry it is entered on his furlough certificate. (Bombay G. O. no. 6831 J. D., dated the 6th Oct. 1915).

(2) The Commanding Officer's pass is intended to cover only those arms which were in the Indian soldier's possession at the time of his quitting his regiment on leave, and such pass does not cover arms purchased subsequently. A soldier is restricted to a certain maximum quantity of arms and ammunition, and if the quantity covered by the pass granted by his Commanding Officer on his proceeding on leave is less than the prescribed maximum, he may only purchase additional

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Rule 16. (334) *Vide* note (5) to sec. 5 of the Act, on page 44.

" 18. (336) " " (3) to rule 33 of Rules, page 101 and rule 44 of U. P. Rules.

arms and ammunition up to that maximum with the written permission of "competent authority," i.e. his Commanding Officer. Dealers cannot therefore sell arms or ammunition to Indian soldiers on the strength of the Commanding Officer's pass up to the quantity specified therein unless a special authorisation is produced for each such purchase. (Resn. no. 5881 J. D., dated the 20th Oct. 1909).

(3) A case was brought to the notice of the Government of India in which a soldier of the Indian Army, employed under a Civil Department, purchased a rifle in British India and obtained, from the Officer of the Department under whom he was serving, an informal pass or permit with the object of smuggling the rifle across the North-West Frontier.

(4) Paragraphs 1527-1529 of Volume II of Army Regulations, India, permit a Commanding Officer to give passes to soldiers proceeding on furlough from a regiment. But no other authority is empowered to grant a pass to an Indian soldier any more than to any other person, and an Indian soldier serving away from his regiment can only obtain authority to possess a gun or rifle by applying to the Magistrate for a licence under the Indian Arms Act in Form XX.

(5) Heads of Departments and the officers serving under them should, therefore, note that they have no authority to grant permits or passes to their subordinates to carry arms not required by them for the execution of their duty and referred to as such in the exemptions granted under Schedule I of the Indian Arms Rules, 1924. (Resn. no. 7939 J. D., dated the 14th Nov. 1895.)

### (ii) *Reservists' Licences*

19. (337) (1) Whenever an Indian soldier, at the time of his being transferred to the reserve, wishes, as a reservist, to possess arms and ammunition for his personal use, the Magistrate of the district in which he resides will grant him a licence, free of licence fee, provided that the application therefor has been submitted through, and is recommended by, the Officer Commanding the applicant's late regiment or battery.

(2) In the case of an Indian reservist applying for a licence at any time after joining the reserve, the Magistrate of the district will grant the licence, free of licence fee on the recommendation of the Officer Commanding the Reserve Centre to which the reservist is attached.

(3) In all cases licences will be renewed, free of licence fee, on the recommendation of the Officer Commanding the Reserve Centre.

(4) Should a Magistrate not feel justified in issuing a licence to a reservist or in renewing a reservist's licence, his decision will be communicated to the officer, through whom the application was submitted, for such action as the latter may wish to take.

*Note.*—(i) If a reservist goes with his arms beyond the area for which his licence is valid under rule 33 of the Indian Arms Rules, 1924, he should be required to obtain a licence in Form XVI.

*Note.*—(ii) Application for a licence for arms and ammunition in respect of which the Indian Soldier is not exempt should invariably be refused by District Magistrates. (Resn. no. 2134 J. D., dated the 10th April 1911.)

(5) Offences under the Indian Arms Act and Rules committed by reservists will be dealt with in the ordinary manner under the Act by the magistracy. (Bom. no. 4497 J. D., dated the 8th Aug. 1910.)

(6) The District Magistrate should be informed of the discharge of reservists who are in possession of licences and these licences may be withdrawn when a reservist is discharged. (Bom. no. 468 J. D., dated the 29th Jan. 1906).

### (F) Quantity of Ammunition allowed

20. (338) The licensing authority should in every case enter in columns 3 and 4 of the licence in form XVI of the Indian Arms Rules, 1924, the quantity of ammunition which a licensee may possess; but the quantity thus entered represents the maximum which the licensee may possess at any one time. So long as no absolute maximum has been fixed by the local Government, all that a dealer need do is to see that he does not supply to the licensee more than the specified quantity of ammunition at any one time and to endorse upon the licence, as required by condition no. 5, the prescribed particulars as to the transaction. When, however, the local Government has fixed an absolute maximum quantity, with reference to condition no. 6 of form XVI, thus limiting the amount a licence-holder may purchase in a year, it becomes necessary for the vendor further to see, by reference to the endorsements relating to former transactions, whether the absolute maximum so fixed has been reached, and if it has, he must, under condition no. 8 of license form X, refuse to sell any more. (Resn. no. 6682 J. D., dated the 30th Nov. 1909).

### 8. *Licensed Weapons—Marking and loss of.*

21. (339) Suitable arrangements should be made by the District Magistrates for the marking and numbering of all licensed guns which do not bear the maker's name and legibly stamped number thereon. The cost of the necessary tools should be met by a re-appropriation of funds, the previous sanction of Government being applied for in each case.

The registers at present maintained for licensed guns should be in the prescribed standard forms. (Resn. no. 3331 J. D., dated the 20th May 1901.)

*Note.*—Police officers should make it a duty to see that the conditions printed on back of all licences they are empowered to examine are observed by the licence-holder.

22. (340) If a gun, covered by a licence issued on forms XVIII and XIX annexed to the Indian Arms Rules, 1924, be lost or stolen, the license-holder shall at once give notice of the fact at the nearest police station. (Resn. no. 5952 J. D., dated the 31st Aug. 1900.)

### 9. *Licensed Dealers.*

23. (341) (1) All licensed dealers in arms and ammunition are bound, under the law, to ascertain that the persons to whom they sell arms are legally authorised to possess the same. The police should keep a vigilant supervision over the register prescribed above, and if they find that arms and ammunition have been supplied to persons

whose exemption seems to be doubtful, they should take steps to ascertain whether such persons are really exempted from the provisions of the Indian Arms Act, and, if not, to report the matter to higher authority. (Resn. no. 4847 J. D., dated the 25th Aug. 1909).

(2) Licences for the possession of fire-arms, etc., cover only such arms as are described therein. A person who purchases a weapon the description of which does not agree with that contained in any licence which he may hold, cannot be regarded as lawfully entitled to possess such weapon within the meaning of the second proviso to exception II under item 10 of Import Tariff Schedule II. (Resn. no. 5761 R. D., dated the 16th June 1911)

(3) In the event of a licence issued in form XVI, XVIII or XIX of the forms appended to the Indian Arms Rules containing no entry as to the quantity of ammunition covered thereby, an arms-vendor should refuse to supply any ammunition to the licensee and should return the licence to be properly filled in. (Resn. no. 1980 J. D. dated the 6th April 1910).

24. (342) Every person to whom a licence to manufacture or sell arms, ammunition or military stores has been granted shall keep an account of all stock, and of all sales of arms, ammunition or military stores, in the form prescribed in Government Resolution, Home Department, No. 1232-Poll of 20th July 1925/3rd Aug. 1925.

*Note.*—Licensed vendors should be required to pay the cost of the books of forms of the sale register of arms supplied to them. (Letter no. 8564 J. D., dated 2nd December 1913.)

#### 10. *Inspection of Licensed Shops.*

25. (343) (1) Every Magistrate in revenue charge of talukas, and every Superintendent of Police, Assistant or Deputy Superintendent of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges at least once a year, and report the result to the District Magistrate.

(2) The date of every inspection above prescribed shall be noted in the account-book of the licensed manufacturer or vendor, and authenticated with the signature of the officer making the inspections.

(3) Superintendents of Police must pay particular attention to the important duties under the Indian Arms Act assigned to them by Government, and always report the result of their inspections of the shops, etc., of every licensed manufacturer etc., to the District Magistrate.

26. (344) In the mofussil Inspectors of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges, and compare carefully the accounts with the stock in hand at least once every six months. The results of such inspections shall be at once reported to the District Magistrates through the Superintendent of Police, and the Inspectors will be held responsible for bringing to notice every breach of law, or rule, or any irregularity which may occur,

11. *Sale and Disposal of Arms, etc.*(A) **Verification of Sales**

27. (345) The system followed in the City of Bombay for the verification of sales of arms and ammunition by local dealers has been prescribed for the Bombay Presidency. But the sale of gunpowder and percussion caps need not be recorded in the sale register of arms prescribed under the system. (Letter nos. 5336 J. D., and 467 J. D., dated the 19th Sept. 1911 and 18th Jan. 1912 and I. G. P. no. I6118-B of 27th Oct. 1911 and 1971-B. of 7th Feb. 1912.)

(1) Verification slips of arms sold to persons residing in Rangoon should be sent to the Commissioner of Police, Rangoon, when the purchaser resides in Rangoon Town and to the Superintendent of Police concerned when the purchaser resides elsewhere in the province. As regards Madras, the slips should be sent to the Commissioner of Police, Madras, or the District Magistrate concerned. Similar verification slips sent from Madras and Rangoon will be addressed as follows :—

The Commissioner in Sind—in the case of purchasers residing in Sind.

The Commissioner of Police, Bombay—in the case of purchasers residing in the Bombay City.

The Superintendent of Police concerned—in the case of purchasers residing elsewhere in the Presidency. (Resn. no. 7019 J. D., dated the 1st Oct. 1912).

(2) The procedure described in clause (1) above will also be followed in regard to slips received from Bengal (other than the town of Calcutta). If any slip is mis sent from Bengal to an officer he should arrange to transmit it to the proper authority instead of returning it to the authorities in Bengal for redirection. (Resn. no. 3415 J. D. dated the 7th May 1913).

(B) **Indiscriminate Disposal of Arms, etc., forbidden**

28. (346) (1) All officers of Government whose duty it may be to conduct sales of arms should satisfy themselves before the confirmation of the sales, by a reference to the District Magistrate, that the purchasers are entitled to possess such arms; and auctioneers should be warned against selling arms and ammunition to persons not legally entitled to possess them.

(2) The duties of licensed vendors and private individuals in this respect are laid down in section 5 of the Indian Arms Act, 1878, and the attention of all heads of offices is drawn to the provisions of the law. (Cir. no. 2823 J. D. dated the 2nd May 1901).

(3) Railway Companies cannot be permitted to sell arms and ammunition under any circumstances. Section 28 of Act XI of 1878 requires them in certain cases to give information to the Police. When any arms or ammunition are left in a railway carriage, the Company may properly keep them for a reasonable time, to enable them to be claimed but section 22 of the same Act makes the Company legally responsible for delivering them to any person

without previously ascertaining that such person is legally authorized to possess them. Unclaimed arms and ammunition should be made over to the Police with a view to the orders of the Magistrate being taken under section 523 of the Criminal Procedure Code. Government cannot, under any circumstances, admit their liability to the Company for any costs incurred in connection with such property. The sale-proceeds of such arms and ammunition should be made over to the Railway Administrations concerned, after deducting the cost incurred, if any, in selling the articles. (Resn. no. 6314 J. D. dated the 3rd Nov. 1886 and no. 5158 dated the 7th Sep. 1911).

(4) Cases have occurred in which officers have sent rifles and rifle ammunition to be put up for public auction and have allowed them to be so disposed of to persons not entitled to possess them. Severe notice will be taken of any such culpable negligence on the part of officers. They are warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

(5) A case came to the notice of Government in which a Commanding Officer presented to his servant, an unlicensed person, a carbine in contravention of section 22 of the Indian Arms Act, 1878, and paragraph 482 of the Army Regulations, India, 1908, Volume II. In calling attention of all civil and military officers to the case in question, His Excellency the Governor in Council trusts that such breaches of the law will not occur again. (Resn. no. 3069 J. D., dated the 2nd May 1900, Cir. no. 4773 J. D., dated the 19th Aug. 1910).

## 12. *Importation and Transmission of Arms*

29. (347) The Local Government has been authorised to allow the importation, without import licence and without fee, of Mauser and Bergmann pistols which are certified to form part of the regular equipment of officers in the Civil Department. (Resn. no. 2826 J. D., dated the 2nd May 1901).

30. (348) (1) The Customs authorities at Madras, Bombay, Calcutta and Rangoon should examine carefully all consignments from Hongkong and communicate at once with the Commissioner of Police in the event of any arms or ammunition being discovered.

(2) If the case appears to the Commissioner of Police not to be one connected with the trade above referred to, and not to be of a serious nature, the existing procedure should be followed, *viz.*, notice should be issued by the Collector of Customs to the consignee to show cause why the consignment should not be confiscated, but the Commissioner of Police should also communicate with the police of the district of the addressee. The final action of the Collector of Customs should be determined in communication with the Commissioner of Police.

(3) If, however, the case appears to the Commissioner of Police to be connected with the trade, or to be of a serious nature, the goods

should be allowed to reach their destination without any warning being given to the consignee or his agent; information being sent at the same time to the local police of the district of the addressee, so as to give them the opportunity of prosecuting under the Indian Arms Act. In this way, it should be possible to bring home the offence to the consignee, if he has contravened the provisions of that Act or rules made under it. The conduct of cases in which an offence appears to have been committed in India, should always be undertaken by the police. (Resn. no. 7573 J. D., dated the 9th Nov. 1900).

31. (349) (1) An instance having occurred in which a licence granted by Government could not be traced on the records of the office of a Superintendent of Police, and apparently the District Magistrate had nothing on his own records to show that the consignment covered by that licence ever reached its destination, Government ruled as follows :—

It is in the opinion of Government of the utmost importance that the head of a district should know at any time without difficulty the amount of arms and ammunition entering his district and whether a consignment reaches its destination. If a duplicate copy of the licence were sent to and returned by the Superintendent of Police under his signature when a consignment reaches this consignee, all doubt on this point would be removed. It is possible that similar difficulty in checking imports might be experienced as regards other districts, and it is desirable that an accurate and readily verifiable check should be kept in future on the movement of arms and ammunition.

(2) The control of imports of ammunition into British districts rests primarily with the District Magistrate, and he should carefully maintain a register of permits issued and a register of licences received. These should be periodically examined and compared, and from them the District Magistrate, will be able to satisfy himself at any time that the trade is being kept within due bounds. (Resn. no. 4380 J. D. dated the 4th July, 1898).

32. (350) Under section 10 of the Indian Arms Act, 1878, the Governor General in Council is pleased to prohibit the transmission by post of fire-arms and ammunition into or within any part of Burma. This notification shall not apply to arms or ammunition transmitted on account of the Government. (Resn. no. 3015 dated the 6th June 1908.)

33. (351) When persons lawfully entitled to possess arms, etc., under Schedule I of the Indian Arms Rules of 1924 send orders on licensed dealers at a distance for arms or ammunition, the transport to them of reasonable quantities for their own use by such licensed dealers is covered by the permission provided for in the rules issued under the Indian Arms Act on the ground that the licensed dealers may, for the purposes of such transport, be regarded as the agents of the purchasers and, therefore, no licence for such transport is required. At the same time it is proper that the immunity from licence of the arms or ammunition so transported should be certified by a responsible officer, and the Governor in Council therefore approves of the practice of the Commissioner of Police, in issuing for the purpose certificates without fee, certifying that the arms and ammunition



were for the use of a person duly entitled to possess and transport them. It will be noticed that this rule deals with transport only, and that where export, as from Poona across Kolhapur to Ratnagiri, is involved, the licence of the Secretary to Government, Political Department, required by the rules is needed.

34. (352) and (353). **Arms deposited with Dealers or Police**—superseded by rules published with Bombay Govt. H. D. (Poll) notn. no 953 Poll dated the 10th June, 1929, which are reproduced on page 178.

*Note.*—No expenditure is to be incurred for the conveyance from Taluka stations to the Head-quarters' stores of arms which come into the possession of the police. It is unnecessary to send them in by a special party in a cart or with hired coolies. Such arms can be carried on the same carts when treasure is sent from Talukas to Head-quarters. If for any special reasons any arms are to be brought in at odd times and expense is likely to be incurred the District Magistrate should be addressed to sanction and provide any probable expense. (I. G. P. no. 143 of 21st Oct., 1926.)

14. *Rules applicable to Railway Limits in Baroda and Palampur.*

35. (354). For rules for the control of arms and ammunition on the portions of the B. B. and C. I. Railway situated in Baroda and Palampur see. Govt. resns., Poll. Dept. no. 7485 dated the 30th Nov. 1895 and no 5966 dated the 30th Sep 1897.

36. In supersession of the orders contained in Government Order No. 1096 A., Poll., dated the 1st Sept. 1921, the Government of Bombay have ruled that holders of licences for rifles other than rifles of **22 bore., revolvers or pistols** in Forms XVI, XVIII, or XIX appended to the Indian Arms Rules 1924, shall not possess at any time ammunition in excess of the maxima shown below:—

Rifles other than rifles of 22 above	...	100 cartridges for each weapon
Pistols of revolvers	...	50 ditto.

(Bombay No. 2443, Poll., dated the 2nd December 1924).

37. Under condition 7 of the conditions attached to Licence Forms IX, X, XI, and XII appended to the Indian Arms Rules, 1924, the Government of Bombay directs that the licensees shall give information of all firearms and ammunition for shot guns, rifles, pistols and revolvers sold by them to licensed or exempted persons within a week after the sale in the form subjoined below, to the District Magistrate of the district in which the purchasers reside, or to the Commissioner of Police, Bombay, Calcutta, Madras or Rangoon if the purchasers reside in Bombay, Calcutta, Madras or Rangoon:—

FORM.—Report of sales of arms and ammunition.

Date of sale. 1	Name and address. of purchaser. 2	Number and full description of firearms (sold including bore). 3	Quantity and full description* of ammunition sold (including bore). 4
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\*(NORN.—No. 2268 dated the 11 Oct. 1927.)

33. In exercise of the powers conferred on the Local Government, by condition 2 of the conditions attached to licences in Forms IX, X, XI and XII and condition 3 of those in form XIII in Schedule VIII, appended to the Indian Arms Rules, 1924, it is directed that the licensees shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in the form appended hereto.

SALE  
STOCK BOOK

SECTION 17 C. OF ACT, XI OF 1878 AND CONDITION 2 IN FORMS IX, X, XI AND XII  
AND CONDITION 3 OF FORM XIII IN SCHEDULE VIII, APPENDED  
TO THE INDIAN ARMS RULES, 1924

Register of arms, ammunition and military stores } Sold  
Imported, manufactured, converted and purchased.

Date.		How obtained, whether imported direct, manufactured, converted or purchased locally.		NAME OF PURCHASER.—IF AN INDIAN, FATHER'S NAME.		RESIDENCE OF PURCHASER, whom.		FIRE-ARMS														MILITARY STORES.			AMMUNITION.														Arms, ammunition or military stores other than those mentioned in the preceding columns.		REMARKS.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
If purchased locally from whom.		Number and date of licence.		D. I. Breech-loading.		S. I. Muzzle-loading.		D. I. Breech-loading.		S. I. Muzzle-loading.		Combined rifle and shot gun.		Pistols.		Revolvers.		Air-guns and rifles.		Swords.		Sword-sticks.		Fuzes.		Anvils.		T.		Uwt.		Qr.		Lb.		Empty.		Loaded.					Breech-loading.		Muzzle-loading.		T.		Qwt.		Qr.		Lb.		T.		Qwt.		Qr.		Lb.		T.		Qwt.		Qr.		Lb.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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(Bombay notn. no. 1237, Poll., dated the 20th July 1925-)

BENGAL RULES AND ORDERS.

1. Import and export.—Humane Cattle Killers and their Cartridges.—*Vide* note (9) to section 4, page 39.

1 A. Arms of military pattern—*Vide* notes to Rule 7, page 83.

1 B. Re-importation of arms of military patterns.—*Vide* note (10) to rule 7, on page 84.

1 C. Importation of arms at Chittagong—*Vide* note to rule 8, page 85.

1 D. Import of toy, dummy or imitation revolvers or pistols.—*Vide* note (20) to Schedule II, page 139.

2. Import and transport by dealers.—*Vide* note (3) to rule 24, page 94.

3. The following rules have been framed by Government to cover the case of individuals importing arms into India through the Port of Calcutta, as personal luggage:—

(1) The Collector of Customs will, under section 6 of the Indian Arms Act, 1878 (XI of 1878), detain all firearms not covered by licences produced by the owner.—(2) He may likewise, if there are reasonable grounds for suspicion, under the same section, detain firearms ostensibly possessed under proper authority.—(3) He will give in the former case a receipt to the owner describing the particulars of the weapon; in the latter case he will report the facts to Government for orders under section 6 of the Act.—(4) The owner in the former case will apply for a possession licence filing his receipt with the application to the Commissioner of Police, Calcutta, or Magistrate of the 24 Parganas or Howrah, if he is going to reside in those districts. If he is going to reside elsewhere he will apply to the Commissioner of Police for a journey licence to his place of residence.—(5) The licensing authority will then dispose of the application, inspecting the weapon, if it wishes to at the Customs Office.—(6) On receipt of his licence, if it is granted, the owner will present it at the Customs Office and take possession of his weapon.—(7) In cases where the owner cannot spare the time to get a journey licence from the Commissioner of Police, he will, after reaching his destination, apply to the local District Magistrate for a possession licence for the weapon, filing his Customs receipt. On receipt of the licence he will forward it to a licensed dealer or a recognised shipping agent in Calcutta with an order authorising the dealer or the shipping agent to take delivery of the weapon from the Customs Office, and to forward it to him at his expense. The Customs authorities shall deliver up the weapon to the dealer or the shipping agent on production of the owner's licence and the letter of authority. [Similar rules *mutatis mutandis* have been framed for the import of arms as personal luggage through the Port of Chittagong.]

3A. The following is the list of **firms authorised to take delivery** from the Customs House of arms imported or brought as personal luggage on production of owner's licence. The firms mentioned in item III—'Tea and other Agencies'—are only authorised to take delivery of weapons belonging to the partners, or employees of concerns, for which they hold the agency:—

1.—**Shipping Agents.**—1. Grindlay & Co. 2. Thomas Cook & Son. 3. Cox and Kings (Agents), Ltd. 4. Balmer Lawrie & Co. 5. Allen Bros. & Co. (India), Ltd. 6. American Express Co. Inc. 7. George Waller & Co.

II.—**Ships Agents.**—1. Gladstone Wyllie & Co. 2. Mackinnon Mackenzie & Co. 3. James Finlay & Co., Ltd. 4. Jardine Skinner & Co. 5. Anderson Wright & Co. 6. Turner Morrison & Co., Ltd. 7. Grahams Trading Co., Ltd. 8. Hoare Miller & Co.

III.—**Tea and other Agencies.**—1. McLeod & Co. 2. Octavius Steel & Co. 3. Duncan Bros. 4. Williamson Magor & Co. 5. Andrew Yule & Co. 6. Gillanders, Arbuthnot & Co. 7. Bird & Co. 8. Begg Dunlop & Co. 9. Shaw Wallace & Co. 10. Martin & Co. 11. Samuel Fitze & Co. 12. The Planters Stores and Agency Co., Ltd. (Bengal letter No, 158 P. J. D., dated the 14th July 1920).

4. **Journey licences for passengers arms.**—*Vide* note (1) to rule 34, page 105.

5. **Import licences under Explosive Act for ammunition.**—*Vide* note (3) to section 6 of the Act, page 46.

6. **Foreign Inward Mail containing arms and ammunition.**—*Vide* note (4) to section 6 page 46.

7. **Articles in transit to foreign territories** through Post Office.—*Vide* note (4) to section 6, second para, page 45.

8. **Cantonments and other administered areas and railway lands** in Indian States are foreign territory, although British jurisdiction is exercised in them, and consequently licences are necessary for the export of arms and ammunition to such places.

9. **The authorities in Bengal empowered to grant licences for the export of arms**, ammunition or military stores to Indian States are the Secretary to the Government of Bengal, Deputy Commissioner of Police, Calcutta, Commissioner of the Rajshahi Division and the Political Officer in Hill Tippera, for the places and subject to the conditions prescribed in Schedule VI of the Indian Arms Rules, 1924. The export of arms ammunition or military store to a State in India no longer requires the previous sanction of the Political Officer for such State, where the consignee is—(i) a Ruling Prince or Chief, (ii) a gazetted officer in civil employ or an officer holding His Majesty's Commission, (iii) a member of the family of the Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, (iv) a person included in any of the categories in Schedule I and the consignment is intended for the personal use only of the consignee. Such sanction is required in other cases, and in granting licences of the export of Arms into Indian State and Agencies the procedure laid down in rule 17 of the Indian Arms Rules, 1924, should be followed (H. D. letter no. F-21-XI-27 dated the 16th Feb. 1927).

*Note*.—No licence is required for the export of swords and sword sticks to states. (F. and P. D. letter no. F-149-G-29 dated the 4th June 1929).

9 A. **Export to Afghanistan**.—*Vide* note (5) to rule 19, page 91.

9 B. „ **to Nepal**.—*Vide* note (6) to rule 19, page 91.

10. **Moyapur Warehouse**.—*Vide* note to section 9 page 47.

11. Under section 9 of the Sea Customs Act, VIII of 1878, the following rule is published for general information :—

The import and export manifests of all vessels engaged in the coasting trade or vessels trading with ports in the Persian Gulf shall, in future, be required to contain a list of all arms and ammunition carried by such vessels as a part of their equipment or armament and likewise of all arms and ammunition being the personal property of the master, the officer and the crew on board such vessels. This information must be furnished in the manifest for each port to which the vessel is bound. (Notification dated the 7th Sept. 1889.)

12. In exercise of the powers conferred under section 157 of the Sea Customs Act VIII of 1878, the provisions of sections 55 and 63 of that Act have been extended to coasting vessels owned and manned by natives of India and to vessels plying under general passes under section 164 of the Act so far as regards the specification by the master, in the import and export manifests of all arms, ammunition carried on such vessels as part of their equipment or armament, and likewise of all arms and ammunition on board being the personal property of the master, the officers, and the crew working on board such vessels (Bengal notn., dated the 7th Sept. 1889)

13. **Export to Indian States.**—*Vide* note (2) to Rule 19, page 91.

13A. The second para, of sec. 6 of the Arms Act, operates to render a licence unnecessary in the case of arms and ammunition exported from British India into Berar by exempted or licensed persons resident in Berar in reasonable quantities for their own private use. Other arms and ammunition, which would otherwise fall within the prohibitions of the first paragraph of section 6 are, when covered by a licence granted in Berar or British India, protected [*Vide* entry 2 (vi) of Schedule II of the Indian Arms Rules, 1924, and entry (v) of schedule II of the Berar arms Rules, 1924] both in British India and Berar from all the prohibitions imposed by the Act and can therefore be imported or exported into or from Berar without formality or licence (H. D. Endt. no. F-21-XV-26 dated the 13th May 1926.)

14. **Export of cannon.**—*Vide* note (1) to Rule 19, page 91.

15. **Transport licence for definite consignments.**—*Vide* note (4) to Rule 24, page 94.

16. **Import and transport.**—*Vide* Note (5) to rule 24, page 94.

17-18. **Remission of fees for licences.**—*Vide* notes (1) and (2) to rule 46, page 113.

19. With a view to prevent the leakage of firearms through officers and crew of vessels calling at the Port of Calcutta, the following **warning notice** has been prescribed. The notice should be printed in heavy type under the signature of the Commissioner of Police, Calcutta, and distributed by him to shipping firms for circulation to officers and crew on the arrival of vessels and for posting up in conspicuous places on the ship. Copies should also be sent to Port Officer, Calcutta.

Officers and crews of vessels calling at the Port of Calcutta are hereby warned that the sale of arms, ammunition or military stores to any person in India is, unless effected in conformity with the provisions of the Indian Arms Act, punishable with imprisonment or with fine, or with both.

To avoid the risk of incurring these penalties, owners of such articles should in all cases before transferring them to any person in India apply for information to the Commissioner of Police in Calcutta or to Magistrates at other ports of call.

A similar notice with the requisite notification should be issued over the signature of the District Magistrate of Chittagong and distributed to the agents of shipping firms in Chittagong and to the Port Officer. (Bengal No. 136-37 P.—D., dated the 28th April 1916.)

20. **Application of Act to arms other than firearms.**—*Vide* note (7) to Schedule II, page 136.

21. **Prohibitions affecting Bayonets.**—*Vide* note (8) (i) and (ii) to Schedule II, page 147.

22. **Prohibitions affecting Air Pistols.**—*Vide* notes (8) and (9) to Schedule II, page 137.

23. **Prohibitions affecting Daggers.**—*Vide* note (8) (iii) to Schedule II, page 136.

24. **Prohibitions affecting Swords.**—*Vide* notes (8) (iv) to Schedule II, page 137.

**24A. Extension to Bengal of section 15 of the Act.**—*Vide* note to section 15 of the Act, page 52.

**25. Leaden Bullets and Bird shot.**—*Vide* note (22) to Schedule II, page 138.

**26. Sulphur.**—*Vide* note (23) to Schedule II, page 138—139.

**27. With regard to the prohibition of going armed with daggers** the question has been raised whether **hunting knives** should be treated as **daggers**. This is a question of fact to be decided in each case, but the double edged type of hunting knife with cross guards should be treated as dagger, and the owner should take out a licence to go armed with it.—(*Vide* case of **Bishan Singh** referred to in note (48) to section 4 of the Act, page 42).

**28. Payment of fees in cash.**—*Vide* note to rule 48, page 114.

**29. Remission or Reduction of fees.**—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870) as amended by Part I of the First Schedule to the Devolution Act, 1920 (XXXVIII of 1920) the Governor in Council is pleased—

(1) to remit all fees payable under Schedule II of the said Act upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under those Rules, and

(2) to reduce to one anna all fees, exceeding one anna, payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules in all districts in the Presidency of Bengal. (Bengal notn. no. 1711 Pl. dated the 17th June 1924.)

*Note*—The effect of this notification is that the Court Fee payable on appeals against the refusal of a licence under rule 33 of the Indian Arms Rules, 1924, is one anna.

**30. Fees for muzzle-loading pistols.**—*Vide* note (4) to Rule 46, page 114.

**31. Fees for licences for sulphur.**—*Vide* note (3) to Rule 46, page 113.

**32. Scale of arms for exempted persons.**—*Vide* note (11) to Schedule I, page 124—125.

**33. Licence for excess weapons.**—*Vide* note (12) to Schedule I, page 125.

**33A. Licence for ammunition of prohibited bores.**—*Vide* note (4) to Rule 7, page 83 and note (6) to rule 28, page 98.

**34. Certificates of exemption.**—Similar to U. P. rules reproduced as notes (24) and (25) to Schedule I, page 128.

**35. Improper use of arms by exempted persons.**—*Vide* note (5) to rule 3, page 81.

**36. Registration of firearms by exempted persons.**—*Vide* note (13) to Schedule I, page 125.

37. Should there be any difficulty or doubt as to the adequacy or accuracy of any description or should any exempted person be unable to fill in the **Enquiry Form**, no. 125 B., item no. 1 of Bengal Forms, (referred to in note (13) on page 133) satisfactorily, an officer of suitable standing should be deputed, by previous arrangement with the person concerned, to fill in the form after inspection of the weapons. The form when received back from the exempted person should be grouped in **Guard File** according to entries in Schedule I to the Indian Arms Rules. It is not necessary to maintain any regular registers as these guard files should suffice, while it will be an easy matter for the District Officer or the Commissioner of Police to forward the Form for any exempted individual to the officer in the district or town to which such person removes. To facilitate reference to the papers in the guard files an index should be prepared and kept up to date. (Bengal no. 1561-67 P. J., dated 1st April, 1920.)

37 B. Under clause (d) of entry (1) in Schedule I to the Indian Arms Rules, Servants of Ruling Prince or Chief, having a salute of guns when carrying arms for, but not accompanying, their masters, are exempted from the operation of certain provisions of the Arms Act subject to the condition that their names are specified in a general authorisation to be issued by the Political Officer concerned to the Prince or Chief. The form to be used by Political Officers in connection with the operation of clause (d) referred to above, is shown in item 2A in the Schedule of Provincial Arms Act Forms. (F. and P. D. letter no. F-363-G-29, dated the 7th Oct. 1930).

38. The following instructions must be observed in cases relating to the **inclusion of retainers** under licences in forms XVI and XX.—

(i) The provision for including retainers is intended to meet the case only of persons whose standing or circumstances are such as to make it reasonable for them to employ retainers or servants who would be required in the ordinary course of their duties to carry weapons. The privilege should, as a rule, not be granted except in the case of gentlemen included in the Darbar lists of their respective districts and to private firms and rich merchants as provided in paragraphs 42 and 44. If any retainers whose name is entered in a licence, should, during the continuance of the licence, die, or be dismissed from, or resign the service of the licence-holder, no other person shall be entitled to possess arms or ammunition as the successor of such retainer, unless his name, father's name and address are entered in the licence under the signature of the officer who granted the licence or the successor to such officer. When no retainers are licensed, the fact should be clearly indicated in column 5 of Form XVI or column 4 of Form XX, as the case may be. Application from licensees to have a brother, or other relative shown as a retainer should be refused. Except in the case of *bona fide* retainers, separate licences should be taken out by different persons desiring to use one weapon. (Letter no. 5300-05-P., dated the 7th Nov. 1927).

39. Retainers of exempted persons shall not be allowed more than one smooth-bore muzzle-loading or breech-loading gun each.

40. As a precaution against the possibility of firearms of exempted great zamindars' retainers passing into the hands of unauthorised persons, each retainer is to be furnished by his Zamindar with a Parwana in Bengal Executive Form no 134 (item 2 of Schedule of Forms) authorising him to carry one smooth bore breech-loading or muzzle-loading gun. It is not desirable that spare copies of the form should be allowed to accumulate with private persons. "Great Zamindars" should therefore be given only as many forms as they have retainers covered by their

exemptions, and they should be requested to take particular care not to leave blank forms where unauthorised persons can have access to them. For similar reasons indenting officers should keep their spare stock of the forms under lock and key in a responsible officer's charge.

41. As it was represented that private firms, which had to make large remittances of money, experienced great difficulty in obtaining licences for their darwans, instructions were issued that licences in Form XVI of the Indian Arms Rules should be granted in the name of the firm (European or Indian) and that the name of the firm's chaprasi or servants who would ordinarily be employed in guarding remittances and who would be entrusted with guns should be entered in the appropriate column of the licence form. At the same time a parwana in Bengal Executive Form no. 134A, (item no. 3 in Schedule of Forms) should be issued to the licensee for each of the retainers allowed. These parwanas should remain in the personal custody of a responsible member or agent of the firm and should be made over to the retainers when they are entrusted with the guns by virtue of the licence. Should it be necessary to make any change in the list of the licensed retainers a responsible member or agent of the firm may make and sign the alteration in the parwana. The parwana should be returned at the end of the year along with the licence, when application for the latter's renewal is made. When such darwans, chaprasis or servants accompany a remittance they must take out journey licences in Form XX unless they hold licence in Form XVI made valid under rule 33 (2) for the districts through which the journey is to be made. The same precautions are prescribed to prevent these forms coming into the hands of unauthorised persons as in the case of the parwanas of great zamindar's retainers. (NOTE.—When licences are granted to firms in respect of pistols and revolvers for use by their employees the necessary alteration should be made in manuscripts in the parwana form, inserting pistol or revolver for "gun.")

42. Gun licences in Form XVI should be freely granted to rich merchants, who do not at present enjoy the privilege of keeping armed retainers, if they keep a retainer or servant of the pensioned sepoys class. It is not desirable to fix any limit of income for merchants to whom licences may be granted; District Officers should use their discretion in granting such licences. It should be understood that the duty of selecting and appointing ex-sepoys will lie with the employer and not with the District Magistrate. While encouraging the employment of ex-sepoys as retainers or servants, District Magistrates should grant licences for servants or employees, not of the pensioned sepoy class, who satisfy the Magistrate that they are of good character and are able to use a gun. (Bengal no. 271P.—D., dated the 13th July 1913 and no. 95P.—D., dated the 25th April 1916).

43. The following Notice which is published by the Army Department in the Calcutta Gazette in January and July every year indicates the authorities to whom applications for the service of ex-sepoys should be made and the particulars that should be furnished in the application :—

The services of pensioned and discharged sepoys of the Indian Army required for employment in civil capacities may be obtained on application to—

(i) Recruiting Staff Officer at the following stations :—

(i) The Recruiting Officer of the class required at the following stations :—

(a) Musalmans—

Peshawar for Pathans; Rawalpindi, Lahore and Jullandhar for Punjabi Musalmans; Ajmer for Rajputana Musalmans and Poona for Dekhani Musalmans.

(b) Hindus, etc.

Lahore and Jullandhar for Sikhs and Dogras; Delhi for Brahmans, Rajputs, Jats, Gujars and Ahirs; Ajmer, for Rajputana Hindus (i.e. Rajputs, Jats, etc.) Poona for Mahrattas and Maymyo for Burma Classes.

(ii) Pension Paymaster, Madras, for Madrasis.

(iii) The Asst. Military Secretary (Personal) to H. E. the Commander-in-Chief (Army Head Quarters) for pensioned Indian officers of all classes, required for employment as passenger superintendents on Indian Railways.

All applications from employers should include the particulars shown below, and should be addressed to the officers referred to at the places above mentioned—



(1) Name of person or firm offering employment. (2) Nature of employment and place at which it is offered. (3) Proposed pay and period for which employment is offered. (4) Whether railway fare to place of employment will be paid or not. (5) Whether return railway fare will be paid in case of pensioner being discharged for no fault of his own, or after a definite period of service. (6) Class of men required e.g., Sikh, Pathan, Dogra, etc.

Reference should be made to this notice from time to time as changes in the details are not always reproduced in correction slips to the Manual.

44. Persons desiring to **employ ex-sepoys as armed retainers** and guards for the protection of their property may be advised by the District Magistrate to submit their applications through him. When such applications are received, the District Magistrate should forward them to the Military Officer concerned after he has satisfied himself that they are in order and that the complete information required in the notice has been furnished. It is not of course intended that Government should assume any responsibility for the pay of the ex-sepoys; but, if District Magistrates think it advisable, they may, before forwarding the application to the Military authorities, require the applicant to deposit a sum sufficient to cover the travelling expenses and the pay for a reasonable period of the men whom it is desired to employ. When such deposit has been made, the Military authorities should be informed. (Letter no. 8926 P., dated the 9th Aug. 1915 and no. 6378—6404 P., dated the 28th April 1916).

45. **Exemption of public servants.**—*Vide* note (4) to section 1 of the Act, page 35, note (16) to Schedule I, page 127 and note (5) to Schedule VII, page 152.

45A. **Exemption of Vice Consuls.**—*Vide* note (1) to clause (4) of Schedule I, page 117.

46. **Exemption of Government servants.**—*Vide* note (4) to Schedule VII, page 151.

46A. **Exemption of Government officers.**—*Vide* note (5) to Schedule VII, page 152.

46B. **Exemption from fee.**—*Vide* note (6) to Schedule VII, page 152.

47. Under sec. 27 of the Arms Act the Governor-General in Council has excluded from the operation of the prohibitions contained in sections 14 and 15 of the said Act any arm belonging to commissioned officer, warranted officer, non-commissioned officer or soldier of His Majesty's Forces for the time being serving beyond the limits of British India. (H. D. no. 1582, dated the 20th August 1920).

48. The following description of the pistol and revolver which comprise part of the equipment of officers holding commissions from His Majesty the King forms the description contained in paragraph 48:—

<p>"2 revolvers or 2 pistols or 1 revolver and 1 pistol."</p>	{	<p>Of no special pattern but one of the weapons must take Government ammunition of '455 bore.</p>
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(H. D., letter no. F. 21-XLVI-25 dated the 23rd Oct. 1925).

NOTE.—These orders apply to persons exempted under section 1 (b) of the Act. For the purposes of clauses (3) and (4) in Schedule VII of the Indian Arms Rules, 1924

the above description of the equipment will apply to officers who retire after the 15th March 1924. Such officers are therefore entitled to a free licence for two revolvers or two pistols or one revolver and one pistol which formed part of their equipment, provided that one of these weapons takes Government ammunition of .455 bore. Military officers who retired before the 15th March 1924 are entitled to free licences for revolvers or automatic pistols which are proved to have formed part of their equipment when in the service, irrespective of bore. For ex-officers of the Auxiliary Force, equipment has not been defined; and licensing officers, before issuing free licences, need only satisfy themselves that the weapons for which exemption is claimed actually formed part of the officer's equipment." (H. D., letter no. F. 21-XXV-25 dated the 28th July 1925).

48A. Classes of officers holding commission from His Majesty the King and His Excellency the Viceroy.—Paragraph 48 describes the equipment of officers holding commissions in the army for purposes of the Arms Act. Commissions are of two kinds according as they are granted by His Majesty the King or by His Excellency the Viceroy.

The classes of officers who hold commissions from His Majesty the King are as follows :—

(1) Officers of His Majesty's Regular Military Forces, the Army in India Reserve of Officers and the Auxiliary Force, India, holding the rank of 2nd Lieutenant or any higher rank.

(2) Commissioned officers of the Royal Navy, Royal Air Force, and Royal Indian Marine.

(3) Senior grade officers of the Indian Territorial Force, *i.e.*, officers holding commissions carrying British designations of rank *i.e.*, 2nd Lieutenant, Lieutenant, Captain, etc.

(4) Dual commissioned officers of the Indian Army and Indian Territorial Force, *i.e.*, those holding commissions carrying Indian designations of rank and *honorary* King's commissions carrying British designations of rank, *viz.*, Jemadar and Honorary 2nd Lieutenant, Subedar and Honorary Lieutenant, etc.

The classes of officers who hold commissions from His Excellency the Viceroy are as follows :—

(1) Indian officers holding rank as Jemadar, Subadar, Subadar-Major, Risaldar, Risaldar, Risaldar-Major of—

(i) British Infantry Battalions.

(ii) Indian Cavalry, artillery, sappers and miners, pioneers, infantry and signal units.

(iii) The Indian Army Service Corps, Indian Army Ordnance Corps, Indian Veterinary Corps, Indian Medical Department, Indian Hospital Corps and Army Remount Department.

(2) Indian officers granted honorary commissions in the rank of Jemadar or higher rank on retirement.

(3) Junior grade officers of the Indian Territorial Force, *i.e.*, those holding commissions carrying Indian designations of rank, *viz.*, Jemadar, Subadar, Subadar-Major.

The above classification should be strictly observed for the purposes of the Arms Act. (Bengal letter no. 4691-4696 Pl. dated the 28th October 1930).

NOTE—Difficulty is felt in districts in keeping a record of the weapons held by officers mentioned in paragraph 48 A above. This should be met by introducing the practice, which obtains in Calcutta, of regarding these officers as exempted persons and calling on them to register their exempted weapons in the same manner as other exempted classes. This can best be done through the Adjutant of the unit to which they belong. As regards police and forest officers, the exempted

weapons should be registered through the Superintendent of Police and Divisional Forest Officer, respectively. (Bengal letter no. 3984 Pl., dated the 17th Sep. 1930).

49. The officers of the Army or Royal Air Force holding commissions both from His Majesty the King and His Excellency the Viceroy are entitled to be in possession, as part of their equipment for the purposes of section 1 (b) of the Arms Act,

Of two swords, one Full dress Pattern and the other Field Service Pattern, when so required by the "Dress Regulations for the Army. (H. D., letter no. F. 21-XXX-23 dated the 15th Oct. 1924).

50. The following arms shall comprise the equipment of an officer of the Royal Navy and of the Royal Indian Marine for the purposes of section 1 (b) of the Indian Arms Act, 1878:—

1 sword.

1 rifle—303 SMLE, Mark III or III.\*

1 pistol—of no special pattern.

(H. D., letter no. F. 21-XXX-23, dated the 20th Oct. 1924).

51. In matters affecting the administration of the Indian Arms Act, 1878, the following functions should be performed by District Magistrates personally—

(1) the grant of licences for pistols and revolvers, (2) the grant, and cancellation of licence for all firearms, (3) the disposal of all cases in which a licensee fails to produce the weapons when he is called upon to do so after purchase or at other times, (4) the making of recommendations in all applications for exemption, (5) the issue of licences to go armed on a journey, (6) the issue of licences to deal in firearms, (7) the institution of all prosecutions under the Indian Arms Act, 1878, (8) the fixing of the quantity of ammunition to be allowed to a licensee in the case of weapons for which Government have prescribed a maximum limit, (9) the disposal of confiscated arms, (10) the inspection of unserviceable weapons, (11) the grant of rewards in cases under the Arms Act, and (12) disposal of applications for the inclusion of retainers under licences in Forms XVI and XX.

A District Magistrate may, however, by a written order, delegate his duties numbered (5), (9), (10) and (11) to the Additional Magistrate where there is such an officer, and may similarly delegate to him, with the approval of the Commissioner, the duty of granting licences for shot guns in cases where the grant is recommended by both the Subdivisional Officer and the Superintendent of Police. He may also by a written order, delegate to him the duty of deciding whether the name of any particular person may be entered in column 5 of a licence in Form XVI or column 4 of a licence in Form XX in any case where the District Magistrate has authorised the inclusion of retainers as in item (12) of his duties specified above. The District Magistrate may entrust to a Joint, Assistant or Deputy Magistrate the verification of the deposit of firearms when a licence is cancelled or an exemption is withdrawn. (Letters nos. 5811-5815 Pl., dated the 28th Nov. 1927 and 2097-2101 Pl., dated the 16th April 1928).

52. The following qualifications may be taken as rendering an applicant suitable for grant of a licence and previous enquiry should not, as a rule, be necessary when these qualifications are forthcoming:—

(i) Membership of any order established by the Crown, or the possession of a title conferred or recognised by the Government of India or of the Kaiser-i-Hind Medal or a certificate of honour. (ii) Membership, past or present, of the Indian or Provincial Legislatures or inclusion in the list of Provincial Darbaris. (iii) Payment of not less than Rs. 500 land revenue or Rs. 100 in roads and public works cesses. (iv) Any payment of income-tax. (v) Being a Government officer in receipt of a salary not less than Rs. 100 per month. (vi) Being a commissioned or gazetted officer of His Majesty's Naval, Military or Air Forces, Indian Marine Service or a

commissioned Indian officer of the Imperial Service Troops in active service. (vii) Being a pensioned officer who before retirement was by virtue of his official position included in any of the classes described in (v) or (vi) above. Where the qualifications in respect of payment of land revenue, cess or income-tax are possessed by a joint family they should be taken to qualify the head of the family to the same extent as if he possessed them personally.

While the qualifications stated should ordinarily be taken as rendering an applicant suitable for the grant of a licence for a rifle or smooth-bore gun not of prohibited bore and previous enquiry should not as a rule be necessary when these qualifications are forthcoming, it lies within the discretion of the licensing authority to direct such enquiry when he considers that he cannot properly exercise his responsibility under the Act without further information as to the applicant. (Bengal no 553—560 Pl., dated the 13th February 1924).

**53. Licences in Bakarganj.**—*Vide* note to section 18 of the Act, page 62.

**54.** In the case of applicants for licences not falling within the classes specified in paragraph 53 the Magistrate or the Commissioner of Police shall cause such enquiries as he considers necessary to be made as to the **character and status of the applicant and his fitness to receive a licence**, and should satisfy himself that the arms are reasonably required for the purposes stated in the application. Where considered desirable **enquiries may be made through other agencies** in addition to, or in **substitution for, the police**.

**55.** The **grant of permits for the purchase of arms and ammunition** before the issue of the prescribed licence is forbidden except when prescribed licence forms are exhausted and, it is necessary, to issue a provisional licence or permit. All that is necessary is to issue the licence with an endorsement that the weapon, when purchased, is to be produced, within a certain time. Particulars of the weapon supplied should be entered by the dealer in the column provided for the purpose in Form XVI. (Bengal no. 4043-4048 Pl., dated the 21st Nov. 1921).

**56.** All applications for licences will be entered on receipt in the Magistrate's office in a "Register of application under the Arms Act" in Exe. Form no. 185 (item 5 of Schedule of Forms).

The entries in the register will be **arranged by thanas**, all applications being entered in one volume, which should last for several years. When a preliminary enquiry is necessary the application, with a copy of the enquiry form (item no. 5 of Schedule of forms), will be despatched direct to the officer entrusted with the enquiry. The Magistrate ordering the enquiry will invariably fix a returnable date, which in the case of applications forwarded to officers in charge of police-stations, and in the absence of special urgency, will ordinarily be one month ahead, so as to allow time for submission through the prescribed officers. The District Magistrate will pay particular attention to the punctual return of such applications. Blank spaces have been left against heading XII, as it is not intended that the form should be regarded as precluding enquiry on other points, and the space allowed will enable additional information to be called for to meet local peculiarities. An enquiry, for instance, as to the number of guns already possessed in the village will not only be advantageous in itself but will bring the matter at regular intervals to the notice of the officer in charge of the police-station

in which the village is situated. In the case of applications which are rejected the entry in column 7 of the register will be made in red ink for facility of reference, and before an enquiry report is submitted to the District Magistrate the register should be examined to see whether an application has been rejected within the last three years. Successful and unsuccessful applications should be kept in two separate guard files in chronological order. These are C class papers. In the event of a licence being granted on appeal to the Commissioner under rule 43 of the Indian Arms Rules the fact should be noted in column 8.

57. Among the **proper reasons for refusing a licence** are—(1) Prevalence in the neighbourhood of riots and especially of riots in which firearms have been used and of serious land disputes likely to result in disorder. (2) Such misconduct of the applicant or his near relatives or dependents as causes reasonable apprehension that a gun may be misused. (3) Culpable negligence resulting in the loss of weapon.

There are no orders in force at present **prescribing a maximum number of licences** for any District. The practice of making it a condition of the grant or renewal of a licence that the applicant **shall subscribe** to a work of public utility is expressly forbidden. An applicant who has a genuine need for a licence should not be refused a licence on the **ground of his politics** unless the District Magistrate has reason to apprehend that the gun may be misused. The policy adopted by Government is a **liberal issue of licences** for smooth bore guns—(i) for protection and for sport in Form XVI, (ii) for going armed for the destruction of wild animals which do injury to human beings or cattle under Form XVIII, and (iii) for going armed for the destruction of wild animals doing injury to crops or cattle under Form XIX, subject to reasonable precautions against guns coming into the hands of persons who are likely to misuse them.

58. **Licences for pistols and revolvers.**—*Vide* note (6) to rule 33, page 102.

58-A. **Possession of weapons of prohibited bores.**—*Vide* note (1) to rule 7, page 83

59. **Renewal of licences.** Paragraph 1 of this rule is reproduced as note (2) to rule 42, page 110 and paragraph 2 as note (10) to rule 33, page 103.

60. This rule forms note (11) to rule 33, page 103.

61. Application for licences may, **outside the town of Calcutta**, be received by any Stipendiary Magistrate for transmission to the District Magistrate. (Rules of 24th March 1879.)

62. **All India Licence.**—*Vide* note (12) to Rule 33, page 103.

63. **Single Licence.**—*Vide* note (13) to Rule 33, on page 109.

63-A. Licences in Form XVI are valid up to the end of a calendar year irrespective of the date on which they are issued. A licensee is not entitled to claim full twelve months' possession for the fee paid as the form itself states that the fee is for licences granted for periods of one year or less. Licences are granted for

specified arms, not for any arm, and to particular individuals in respect of the specific arms mentioned therein. For arms other than those mentioned in the licence a fresh licence, for which a separate fee is to be realised, is necessary. When a licence-holder who has paid a compounded fee, changes the weapon covered by the licence for another arm, but there is still one or two full years for the original licence to run, a refund for unelapsed period should be granted. (Bengal letter no. 916 Pl., dated the 11th April 1921).

64. **Licence for cultivators and shikaris.**—*Vide* note (14) to Rule 33, page 103.

65. **Ball and shot gun.**—*Vide* note (15) under Rule 33, page 103.

66. **Sale of Automatic guns.**—*Vide* note (16) to Rule 33 page 104.

66-A. **Revolvers and magazine pistols.**—*Vide* note (17) to Rule 33, page 104.

67. **Automatic magazine guns.**—*Vide* note (18) to Rule 33, page 104.

67-A. **Ithica Auto, Burglar and Handy guns.**—*Vide* note (4) to Rule 28, page 98.

67-B. **Gas Hand Granades and riot pistols.**—*Vide* note (10) to sec. 4, page 39.

67-C. **Life preservers or "Zipo".**—*Vide* note (11) to sec. 4, page 39.

67-D. **Chinese Crackers** are explosives and are, therefore, ammunition within the meaning of sec. 4 of the India Arms Act. It is not necessary however, to restrict, under the rules framed under the Arms Act, the transport of these Crackers by licensed dealers. The import, possession, transport and sale of Chinese Crackers can be regulated by means of licences under the Explosives Rules specially endorsed under rules 63, and it is preferable to apply the provisions of these rules rather than the corresponding provisions of the Arms Rules. (Bengal letter no. 4288 Pl. dated the 26th Sept. 1930).

67-E. **Alarm contrivance** known as "Stop" to be an arm within the meaning of section 4 of the Arms Act and subject, therefore, to all the prohibitions and directions contained in the Arms Act and the Rules framed thereunder (H. D., letter no. F-21-XXIII-30 dated the 27th Nov. 1930).

68. **Failure to produce arms**—*Vide* note (2) to Rule 45, page 112.

69-70. **Air guns and air rifles.**—*Vide* notes (7), (9), (10) and (11) to Schedule II, on pages 136-137.

70-A. **Repairers of Arms.**—*Vide* note (5) to sec. 5, pages 44-45.

70-B. **Authorised dealers and repairers** are to take out permits for **testing firearms** at a recognised range. The permit should show the name of the dealer or repairer, the name of the approved range and the name of the person allowed to carry out the test. In case of non-compliance with the conditions in the permit, the licence of the dealer or repairer can be cancelled or suspended under sec. 18 of the Arms Act. (H. D., letter no. F-21-V-30 dated the 18th Oct. 1930).

71. It is undesirable to keep a large surplus **stock of licence Forms**. District Officers should prepare their indents carefully and restrict them to a very small margin over known requirements. Care must be taken to see that the licence forms do not fall into

improper hands and all licence forms in stock should be kept under lock and key in charge of a responsible officer.

72. A **Register** is to be kept in Bengal Exe. Form no. 126 (item no. 6 in Schedule of Forms) in the offices of all District Magistrates. It should be written up police station by police station, with separate volumes for each. The register should show among other things, the amount of the fee realised for each licence. This will enable an inspecting officer to satisfy himself that the proper fees have been realised for licences and duly credited to Government, to compare licence fees realised with the applications and to supervise the defacement of stamps and their destruction after a certain interval. The Arms Act clerk should write on the stamp the year and the number of the licence to which it refers and the licensing authority should himself see the stamp defaced at the time he signs the fresh or renewed licence. (Bengal letter nos. 372-99 Pl. dated the 29th Jany. 1930.)

*Note.*—Licences for Sulphur, when granted with or without fees under Arms Act should be entered in this register. (Letters nos. 1319 Pl. and 63 Pl. D., dated, respectively, the 18th March and 14th April 1930).

73. All weapons that do not bear a maker's or importer's name and number must be stamped on the metal with the district letter and the district number. The stamping will be done as follows:—

(1) Rifles, on the barrel and breech. (2) Guns other than rifles, on the barrel. (3) Revolvers on the barrel and cylinder. (4) Pistols, including automatic pistols, on the barrel.

73-A. The following procedure is to be followed in the case of firearms imported by dealers into Calcutta :

(1) (a) When a firearm does not bear the maker's name but does have a number on the barrel the importer's distinguishing mark as prescribed in clause (4) of this rule shall be engraved on the barrel adjacent to the number existing thereon.

(b) When the maker's number appears on the trigger guard or other replaceable part, that number with the importer's distinguishing mark shall be engraved on the barrel.

(c) If a barrel bears more than one number, the firm's distinguishing mark will be affixed to that appearing on the original invoice.

(2) Any marking required under clause (1) shall be done on the dealer's premises and compliance reported in writing to the Commissioner of Police, Calcutta, within a week after the firearm has been cleared.

(3) No firearm shall be sold before it has been properly marked. The mark and number engraved under clause (1) shall be shown in the stock register and sale transcripts.

(4) Distinguishing marks have been allotted to dealers as follows:—

Manton & Co.	...	...	...	...	M. M.
Rodda & Co.	...	...	...	...	R. R.
Lyon and Lyon, Ltd.	...	...	...	...	L. L.
Walter Lock & Co.	...	...	...	...	W. L.
Eric Hill & Co.	...	...	...	...	E. H.
Army & Navy Stores	...	...	...	...	A. N.
A. T. Daw & Co.	...	...	...	...	A. D.
D. N. Biswas and Co.	...	...	...	...	D. B.
A. C. Coondoo & Co.	...	...	...	...	A. C.
K. C. Biswas & Co.	...	...	...	...	K. B.
S. D. Dutta & Co.	...	...	...	...	S. D.
N. C. Daw & Co.	...	...	...	...	N. C.
N. C. Dutt & Co.	...	...	...	...	N. D.
M. Biswas & Co.	...	...	...	...	M. B.
T. C. Biswas & Co.	...	...	...	...	T. B.

The district letters are as follows:—

Bakarganj	...	...	...	...	B.
Bankura	...	...	...	...	B. A.
Birbhum	...	...	...	...	B. I.
Bogra	...	...	...	...	B. O.
Burdwan	...	...	...	...	B. U.
Calcutta	...	...	...	...	C.
Chittagong	...	...	...	...	C. H.
Chittagong Hill Tracts	...	...	...	...	H. T.
Dacca	...	...	...	...	D.
Darjeeling	...	...	...	...	D. G.
Dinajpur	...	...	...	...	D. N.
Faridpur	...	...	...	...	F.
Hooghly	...	...	...	...	H. G.
Howrah	...	...	...	...	H. H.
Jalpaiguri	...	...	...	...	J.
Jessore	...	...	...	...	J.
Khulna	...	...	...	...	K.
Malda	...	...	...	...	M.
Midnapur	...	...	...	...	M. I.
Murshidabad	...	...	...	...	M. D.
Mymensingh	...	...	...	...	M. Y.
Nadia	...	...	...	...	N.
Noakhali	...	...	...	...	N.
Pabna	...	...	...	...	P.
Rajshahi	...	...	...	...	R.
Rangpur	...	...	...	...	R. G.
Tippera	...	...	...	...	T.
24-Parganas	...	...	...	...	A.

Un-numbered and insufficiently marked fire-arms which may be found in the possession of exempted persons should be numbered in accordance with the instructions given above. (E. B. and A., J. D., no. 83—87, dated the 29th Oct. 1908, Bengal no. 2262 P., dated the 21st March 1911; E. B. and A., no. 3753—57 PL, dated the 8th Nov. 1911, and no. 608—12 PL, dated the 26th Feb. 1912.)

74. Particulars of the ammunition allowed should be endorsed by the licensing authority in the appropriate column of the licence against each weapon. The maximum amount of ammunition which may be possessed by the holders of licences in Forms XVI, XVIII and XIX of the Indian Arms Rules, 1924, are as follows:

Description of arms for which ammunition is to be possessed.	Maximum quantity of ammunition to be possessed at one time by holders of licences in Forms XVI, XVIII and XIX.	Maximum quantity of ammunition to be possessed during the year by holders of licences in Forms XVI, XVIII and XIX.
1	2	3
Smooth bore muzzle loading gun ... ..	No limit ... ..	No limit.
Smooth-bore breech-loading gun ... ..	No limit ... ..	No limit.
Rifle .22 bore ... ..	No limit ... ..	No limit.
Rifle of other bores ...	50 rounds ... ..	200 rounds.
Revolvers and pistols ...	50 „ ... ..	100 „

This removal of the limit does not apply to licences in forms XVII and XX which are only for a specific quantity of ammunition of any kind as indicated in condition 2 of those licences.



The District Magistrate may at his discretion allow any **reasonable quantity in excess** of the limit prescribed to a person who can prove that he needs more ammunition.

75. In November of every year the officers-in-charge of police-stations should be called upon to report to the Superintendent of Police—(i) **whether any licensee is dead**, and (ii) **whether there is any objection to the renewal of any licence**. They should not comment on the suitability of each licensee on the list but state when definite objection is taken to the renewal of a licence, the grounds of this objection. The Superintendent of Police will forward the reports of the thana officers, together with his remarks, to the District Magistrate who will transmit them to the Sub-divisional Officer who is now empowered to renew licences in Form XVI under rule 42 (3), proviso (b), of the Indian Arms Rules. In the case of an adverse report on a licensee the District Magistrate should pass orders and the final decision will rest with him but in all other cases the Sub-divisional Officer is empowered to renew licences, without the orders of the District Magistrate on the list. The renewal of licences will be reported to the District Magistrate or other authority issuing the licence for the purpose of making the necessary entry on the counterfoil, when this is not in the Sub-divisional office. The licensees whose licences are not to be renewed should be served with a notice calling upon them under section 16 of the Act to deposit their arms and the licences at the nearest police-station or with a licensed dealer within fourteen days from the receipt of the notice. Those whose licences are to be renewed should be called upon by a notice circulated through thana officers, or by postcards addressed to the licensees, as most convenient, to submit their applications for renewal before the 1st of January.

76. The **production of weapons before renewal of licence** is based on rule 45 of the Indian Arms Rules, 1924, empowering the authority by whom a licence was granted to require the licensee to produce the licence. The policy of requiring the production of all weapons as a matter of course before renewal of licence has, however, been relaxed and the following principles should ordinarily be observed. The production of **automatic pistols and revolvers** before the renewal of licence should be required unless the licensing authority has definite reasons for dispensing with their production. In the case of shot-guns and rifles not of prohibited bore in the hands of literate persons in urban areas the production of the weapon should not ordinarily be necessary, but the licensee should be required to file with his application for renewal a declaration that the weapon in question is in his possession and in good condition and that the number of the weapon has been inspected and found to tally with that of his licence. Intimation to licensees to apply for the renewal of their licences, whether in the form of postcard or a notice served through the thana should state in all cases whether the weapon is to be produced.

77. In the case of illiterate persons and the majority of licensees in rural areas **production of the weapon before the renewal** of the licence will still be necessary in order to verify that the arms are in good condition and the number correct. A date should be fixed by the District Officer on which the weapons from each area are to be produced for inspection. This work will be done in the Sadar Sub-division by a Joint, Assistant or Deputy Magistrate and in other Sub-divisions by the Sub-divisional Officer. So far as possible it should be done on tour, officers fixing convenient centres such as police-stations for the production of weapon and renewal of licences, instead of summoning licensees to the District or Sub-divisional head-quarters. The Officer deputed to carry out this work will be supplied, before the date fixed, with the orders of the District Magistrate or Sub-divisional Officer regarding the licences to be renewed and will, if the weapons pass the inspection, return them with the least possible delay to the licensees together with the licences renewed under the signature of the renewing officer.

78. In case in which the **production of the firearms** is not considered necessary the licence may be renewed on an application received through the post enclosing the licence with the necessary certificate that the weapon is in good condition and that the number tallies with that in the licence. In such cases fees may be remitted in the form of non-judicial stamps or by money-orders or be deposited in the nearest treasury, the treasury *chalan* being enclosed with the application in token of payment of fees. Postage stamps should not be accepted in payment of fees for renewal of licences.

79. Licensees who are required to **produce their weapons** before renewal of their licence should ordinarily do so personally but they may be allowed to do so by duly authorized agent at the discretion of the officer granting the licence. (Bengal no. 3671-P., dated the 17th April 1913).

80. **Before a licence is renewed**, special attention should be directed to the endorsements thereon (if any) of **purchases of new weapons or of ammunition** made during the year. Should any of the entries appear to be suspicious, or any of the purchases of ammunition exceed the limit endorsed on the licence in cases in which a limit is prescribed, the officer renewing the licence should cause such enquiries to be made as may appear to be necessary. (Bengal No. 602 P., dated the 29th Jan. 1913).

81. If due forethought is exercised and **punctuality** observed in making the arrangements it should be possible to carry out the **inspection of arms** and to return the renewed licences on the day on which production is ordered for each thana ; the desirability of accomplishing this and so avoiding all unnecessary delay should be steadily kept in view. When a weapon does not pass the inspection and the renewal of the licence is refused, the owner should be instructed to deposit it forthwith at the nearest police-station or with a licensed dealer under section 16 of the Indian Arms Act.

82. In order to ensure that licences are annually renewed it should be made the duty of some clerk in the Magistrate's office

to report immediately after the 1st January of each year, **what licences have not been presented for renewal**. Applications received within thirty days after the expiry of the licence should ordinarily be renewed at the renewal fees prescribed. In the case of licences not renewed within this period it will be open to the District Magistrate in lieu of prosecution to levy the full initial fee payable on the licence. In serious cases steps should be taken to institute prosecution against those who have failed to renew their licences. It is desirable to prosecute for neglect to apply for a renewal, not with rigour, but firmly, in order that it may be clearly understood that the provisions of the law will be enforced.

83(1) *Vide* Note (7) under section 6 of the Act, on page 47

83(2)   "   "   (6)   "   "   25   "   "   "   71

83(3)   "   "   (3)   "   "   30   "   "   "   75

84. The power vested in sub-inspectors of Police (in Bengal Govt., notn. no. 10673-P., of the 12th November 1914 (*vide* notes to sections 6, 25 and 30 referred to above) to **search for and detain arms and ammunition is an important one**. Its exercise should be limited to approved and trustworthy sub-inspectors and to senior sub-inspectors in charge of police-stations. (Bengal no. 10674-80 P., dated the 23rd November, 1914).

85. In pursuance of section 5, clause (b) of the Whipping Act, 1909 (IV of 1909), the Governor-General in Council is pleased to specify offences under the laws mentioned in the Schedule hereto annexed, being offences punishable under the said laws with imprisonment, as offences for the abetment or commission of or attempt to commit which **juvenile offenders may be punished with whipping** in accordance with the provisions of the said section.

#### *The Schedule.*

\*           \*           \*           \*           \*           \*

11. The Indian Arms Act, 1878 (XI of 1878), sections 19, 20, 22 and 23.

(Extract from H. D. notn. no. 350, dated the 8th March 1910).

86—88. **Rewards**.—Reproduced on page 185.

89. **Rules under sec. 16** of the Act Reproduced on page 178.

90. **Arms deposited with dealers** fall under two classes, viz. (1) arms deposited for safe custody, and (2) arms deposited under section 16 of the Arms Act. Arms deposited with the dealers for safe-keeping should be entered in the register in Executive Form 184 (item 13 in Schedule of Forms) prescribed in rule 89. Arms entered in this register do not become automatically liable to forfeiture after a certain period. Dealers should see that arms are covered by a licence or exemption before being received by them for safe custody. Otherwise the arms are held to be deposited under section 16 and are liable to forfeiture if not disposed of within the prescribed period.

91. **Action to be taken when arms are stolen**.—*Vide* note (5) to rule 3, page 8f.

92. Directly a **licence to possess arms is cancelled** whether under section 16 of the Act or by its renewal being refused, an entry to that effect shall be made in the register of cancelled licences and shall be initialled by Magistrate in charge of arms licences. The register shall be in Executive Form 189 (item no. 7 in Schedule of Forms). Entries in the register of cancelled licences, should be made thana by thana, in chronological order with an alphabetical index. These entries should be carefully examined at the time of granting licences under the Indian Arms Act, 1878, so as to prevent a person whose licence has been cancelled from obtaining a fresh licence through suppressing the fact of the cancellation of his former licence.

93. After an entry in the register of cancelled licences has been made, an order shall issue by registered post to the licensee directing him to deposit the arms, ammunition or military stores covered by the licence at the nearest police-station or with a licenced-dealer, as provided by section 16 of the Arms Act within 14 days of the receipt of the order and warning him that if he fails to do so, he will be liable to prosecution under the Act. He should further be informed that if he deposits them with a licenced-dealer he is required by the rules made under section 16 of the Act to report the fact to the Commissioner of Police, Calcutta, and also, if he is not a resident of Calcutta, to the Magistrate of the district in which he resides. A copy of the order will be issued to the officer in charge of the police-station for his guidance. The order should contain full particulars of the arms, ammunition or military stores to be deposited.

94. The following **procedure** should be observed in the case of arms, ammunition or military stores **deposited by the owner at a police station** :—

(i) All such arms, ammunition or military stores shall at once be entered in a register to be kept for the purpose, in P. R. B. Form 193 (item 11 in Schedule of Forms.) If the licence is also deposited the fact shall be noted in this register. Licences will not be deposited in all cases as they may be cancelled in the Magistrate's office when the petition for renewal is rejected. If this is the case they will be filed in that office and will not be sent to the police station. If, however, a licence which has been cancelled or has ceased to be valid is still in the possession of the licensee he will be specially ordered to surrender it with the arms, ammunition or military stores, if he deposits these at the police-station, or to send it to the Magistrate's office for cancellation if he deposits them with a licensed dealer. (ii) Within 14 days from the date of deposit at the police-station the officer in charge will forward the arms, ammunition or military stores, together with the licence if it has been deposited, to the Court, after filling up the duplicate and triplicate copies of, P. R. B. Form 193, (item no. 11). (iii) On receipt of the weapon in the Court, the Court sub-inspector will endorse the duplicate copy and return it to the police-station to be filed. He will then make the necessary entries in the Arms Register of the Malkhana, in P. R. B. Form 190 (item no. 10 in Schedule of Forms). He will then make over the triplicate copy of Form (item 11) to the clerk in charge of licences (with the licence, if received) after endorsing on it the date of deposit in the Malkhana and the number in the Malkhana Register in Exe. Form 190 (item 10 in Schedule of Forms). (iv) The clerk will enter the date of deposit and the number in Malkhana Register in the register of cancelled licences and will file the triplicate copy of Form 11.

95. In the case of **arms, ammunition or military stores deposited at the police station by a licensed dealer under rule 2**

of the rules reproduced in paragraph 89 (*vide* page 179), the sub-inspector shall enter them in the Register in Form 11. In filling up column 4 he should enter the name of the licensee, and the designation of the issuing authority, as well as the number of the licence. He will then follow the procedure described in paragraph 94. The court sub-inspector and the clerk in charge of licences will also follow the procedure described in that paragraph. If the arms, ammunition or military stores belonged to a person resident in another district, intimation of their deposit shall be sent to the Magistrate of that district.

96. If a licence, which has been cancelled, is subsequently renewed, the Magistrate will, when the arms, ammunition or military stores are in deposit in the Malkhana, issue to the Court sub-inspector an order over his own signature to make over the weapon covered by it and will also send him the necessary licence and the triplicate copy of Form 11 received from the police-station. He will also inform the licensee that the licence has been renewed. The Court sub-inspector will then despatch the weapon with the licence and the triplicate copy to the officer in charge of the police-station in which the licensee lives and make the necessary entry in the Malkhana Register. The sub-inspector will acknowledge receipt of the weapon, the licence and triplicate copy of Form 11 and will enter the particulars of the weapon in the prescribed Register and will send for the licensee to take delivery of the licence and the weapon. The licensee on taking delivery will sign the Register and the sub-inspector will return the triplicate copy to the Magistrate with an endorsement signed and dated to the effect that the weapon has been duly delivered. If the arms, ammunition or military stores have been deposited with a licensed dealer, the licensee will be informed that his licence has been renewed and should then take delivery of it from the Magistrate's office. The dealer will be at liberty to return the arms, ammunition or military stores on production of the licence.

97. **Disposal of confiscated or forfeited weapons.**—*Vide* page 183.

98. **Arms and ammunition confiscated, uncleared or otherwise unclaimed** under the Sea Customs Act should be sold by the Collector of Customs by auction to licensed vendors or to persons who by licence or exemption are entitled to possess such weapons, the police being informed of the names and addresses of the purchasers in order to enable them to verify the sales. This does not include arms of prohibited bores like '303 and '450 which will be disposed of by the Ordnance Department, as in paragraph 97, (on page 185). (Bengal no. 2696-2697 S. R., dated the 29th Oct. 1921, and no. 3734 Pl. dated the 11th Nov. 1921).

99. Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act, are sold by public auction in execution of decrees, the Court directing the sale shall give due notice to the Magistrate of the district, of the names and addresses of the purchasers and of the time and place

of the intended delivery to the purchasers of such arms, so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act. [Rule 107, Chapter I of High Court's General Rules and Circular Orders (Civil)],

100. **All unclaimed arms and ammunition found in railway trains** or in the premises of a railway should be forwarded by the officers of the railway concerned within a week, if possible, to the officers noted below:—

Railways.		Officers.
East Indian Railway	... }	District Magistrate, Howrah.
Bengal-Nagpur Railway	... }	Commissioner of Police, Calcutta.
Eastern Bengal Railway	... }	The nearest Magistrate.
Assam-Bengal Railway	... }	
Bengal-Duars Railway	... }	District Magistrate, Howrah.
Howrah-Amta Railway	... }	
Howrah-Seakhalla Railway	... }	Deputy Commissioner, Darjeeling.
Darjeeling-Himalayan Railway	...	Sub-divisional Officer, Barasat.
Barasat Basirhat Railway	...	District Magistrate, Hooghly.
Tarakeswar-Mogra Railway	...	Commissioner of Police, Calcutta.
Kalighat-Falta Railway	...	District Magistrate, Jessore.
Jessore-Jhenida Railway	...	" " Bankura.
Bankura-Damodar Railway	...	" " Burdwan.
Burdwan-Katwa Railway	...	

The District Magistrates and Sub-divisional officers specified above should send the articles to the Commissioner of Police, Calcutta. The Commissioner of Police should arrange for their **sale under proper safeguards to duly authorized persons only**, and should remit the proceeds to the Railway authorities concerned. Bengal no. 2451-P-D., dated the 21st Sep. 1911, and no. 6797 P., dated the 13th Dec. 1911, H. D. no. 2106 R. T., dated the 3rd Dec. 1908, and Bengal nos. 9336—8 and 9341 P., dated the 15th Oct. 1914).

101. District Magistrates are required to **furnish lists of licences** yearly to officers in charge of police-stations. Additions and alterations to these lists should be supplied quarterly to officers in charge of police-stations. (Bengal no. 2941 Pl. dated the 8th Aug. 1921.)

102. Every sub-Inspector on assuming charge of a police-station shall personally **compare the arms in deposit at the police-station** with their descriptions in the Register in P. R. B. Form 193 (item 10 in Schedule of Forms), and enter a certificate to this effect in the register in his own hand, signed and dated.

103. Every sub-inspector on assuming charge of a court office shall **personally compare the arms in stock in the Malkhana** with their descriptions in the Arms Register of Malkhana in Form no. 190 (item 10 in Schedule of P. A. A. Forms) and enter a certificate to this effect in the Register in his own hand, signed and dated.

104. The Magistrate in charge of licences shall **examine the register of cancelled licences** once a month, and in any case in which delay has occurred he shall call on the thana officer for a report, and if on receipt of the report it appears to him that the fault lies with the licensee, he should submit the case to the District

Magistrate for orders as to whether a prosecution should be instituted or not.

105. The Magistrate in charge of licences shall inspect the Court Malkhana twice a year and should compare the arms in stock with the Malkhana Register and with the register of cancelled licences.

106. Vendors of ammunition should be required to take out licences under the Explosives Act in addition to the licences they may be required to take under the Arms Act as vendors of fire-arms. It will be the duty of the District Officer or Commissioner of Police, to satisfy himself that the receptacle or building provided for the storage of gunpowder is secured against all reasonable probability of theft and he should, at the same time, insist by executive order that proper precautions are taken for the safe custody of any firearms kept for sale. In the event of any person failing to comply with the District Officer's demands he should be warned that the penalty for this neglect will be the refusal of a renewal of the licence, and this penalty should be rigorously enforced. In extreme cases where immediate action is called to preserve the public peace, it is open to the Magistrate to cancel the licence under section 18 (a) of the Indian Arms Act. Licence for the sale of firearms and ammunition should ordinarily only be issued for shops situated at district and sub-divisional head-quarters. (E. B. and A. no. 3903-07 G., dated the 14th June 1910.) (Cf. U. P. Rules 33 and 38.)

107. Shop-keepers are not required to take out licences in respect of saltpetre or to keep accounts of saltpetre possessed and sold by them, except in the districts on the external land frontier of British India, viz., Jalpaiguri and Darjeeling. Except for such districts the figures for the sale of saltpetre need not be shown in column 22 of the statement under paragraph 2 "sale and varification" of the annual report on the working of the Arms Act. In the districts on the external land frontier, saltpetre is not exempt from the provisions of the Act, except within the limits laid down in item 7 of Schedule II to the Indian Arms Rules, 1924 (page 132).

108. Licensed vendors should protect themselves by making reference to the District Officers in all cases in which there is any room for doubt as to the right of a would-be-purchaser to possess the arms he is purchasing. By delivering arms, ammunition and military stores to any person, without previously ascertaining that he is legally authorised to possess the same, they render themselves liable to imprisonment which may extend to six months or to fine or to both. District Magistrates should reply without delay to any reference made by licensed vendors with regard to the right of any intending purchaser to possess the arms he is purchasing. District Magistrates should not treat such reference as matter of mere routine, but satisfy themselves carefully that the persons in question are actually entitled to purchase the arms and ammunition in contemplation. (Bengal No. 4803 P., dated the 10th August 1911.)

109. If in any licence issued in Forms XVI, XVIII or XIX the quantity of ammunition covered by the licence has not been

noted an arms-vendor should refuse to supply any ammunition to the licensee and should return the licence to be properly filled in.

110. **Purchases of ammunition** excepting that for **shot guns and rifles of '22 bore** by persons holding licences in Forms XVI, XVIII and XIX have to be entered on the licence by the seller. Orders therefore cannot be complied with till the licence has been received by the latter which involves delay and causes inconvenience to licensed dealers and their customers. This can be obviated if the person holding the licence deposits it with the dealer who can then enter purchases on the licence, and comply at once with urgent orders. The dealer must furnish the licence-holder with a receipt for the same which can be produced at once if the licence is called for by any person authorized to do so under Rule 44 of the Indian Arms Rules, 1924, and the licence itself can be called for and obtained from the dealer when necessary.

111. **Registers** in Executive Forms 186A, 187 and 188 (items, 14, 15 and 16 in Schedule of Provincial Forms) have been prescribed for recording the **sale of arms and the sale of ammunition**. It is the duty of inspecting officers to see that the registers are actually maintained in the prescribed form. (Bengal no. 12161 P., dated the 21st December 1914.)

112. **Selected dealers** authorised under Rule 28 (3) of the Indian Arms Rules, 1924, to keep and sell **ammunition for rifles of '303 or of '450 bore and for pistols and revolvers of '441, '455 or any intermediate bore** are required to maintain a register in the Forms shown in items nos. 18 and 19, in Schedule of Provincial Arms Act Forms.

113. Under sub-rule (4) of rule 28 of the Indian Arms Rule, 1924, **every Magistrate and every Police Officer** of and above the rank of sub-inspector in the Presidency of Bengal outside the town of Calcutta may, within the limits of his local authority, **enter and inspect the premises of any licensed dealer** in arms and ammunition and examine his stocks and accounts. In the town of Calcutta Magistrates and Police Officers not below the rank of inspector are so authorised. (Bengal Notn no. 2801 P., dated the 16th March 1924).

114. No rule is laid down prescribing a **scale for the inspection of shops**. It is left to the Inspector-General of Police and the Commissioner of Police to issue instructions on the subject and to satisfy themselves that inspections are being made regularly. (Bengal no. 12161 P., dated the 21st Dec. 1914.)

115. **All sales of arms should be verified**. The verification of sales of ammunition is left to the discretion of the Commissioner of Police and the Superintendent of Police. The following sales, however, should always be verified: all sales of rifles, pistol and revolver cartridges, empty and loaded: sales of smooth-bore cartridges exceeding 150 loaded and 500 empty: sales of gunpowder exceeding one seer: sales of percussion caps exceeding 500; sales of sulphur, leaden bullets and bird shot, exceeding the limit prescribed by Government, viz., bird-shot and leaden bullets 5 seers and sulphur 10 seers. (*Vide* Notes to Schedule II, page 138).



116. **All dealers** in arms and ammunition are required to send to the Commissioner of Police Calcutta, and to the Superintendent of Police elsewhere, a **monthly return of the stock and sale of arms and ammunition** in Exe. Form 130 (item 17 in Schedule of Forms). Such return should be preserved in the Police office for a period of ten years. (Bengal no. 12161 P., dated the 21st Dec. 1914.)

117. **Dealers in arms and ammunition** in Calcutta are required to submit weekly a transcript from their sale-registers to the Commissioner of Police who will verify such of the sales as relate to Calcutta. Copies of entries relating to Bengal outside Calcutta will be sent in Bengal Exe. Form no. 131 (item 12 in Schedule of Provincial Forms) by the Commissioner of Police to the Superintendents of Police concerned, who will cause the sales to be verified in accordance with the instructions contained in paragraph 115. They will return the verification slips, after noting the result of their enquiries, to the Commissioner of Police who will then fill up the last column of the transcript from the dealer's sale book. Copies of entries in the transcript relating to other provinces will be sent by the Commissioner of Police to the provinces concerned.

*Note.* To facilitate the preparation of the annual return of arms and ammunition in the possession of the public, the Commissioner of Police, Calcutta, will also send weekly to the Superintendents of Police in districts, lists containing particulars of loaded smooth bore gun cartridges sold in quantities of less than 150.

118. Verification may be made in whatever manner the Commissioner of Police or the Superintendent of Police considers most suitable, but the work should invariably be entrusted to officers possessed of tact, discretion and courtesy. Superintendents of Police will bring all cases of **illicit transaction** and all excessive purchases of ammunition by exempted persons to the notice of the District Magistrate.

119. The **same procedure will apply** *mutatis mutandis* in the case of sales in districts. Superintendents of Police will verify sales relating to their own districts and will send verification slips in Executive Form 131 (item 12 in Schedule of Provincial Forms) to the Commissioner of Police in the case of sales to residents of Calcutta and to the Superintendents of Police in the case of sales to residents in Bengal outside Calcutta.

120. The Commissioner of Police for Calcutta and Superintendents of Police, outside Calcutta will report to the Chief Secretary to the Government of Madras and to the Inspector General of Police of other provinces, (except the N.-W. Frontier Province) purchases of arms and ammunition in Bengal by residents of their respective provinces. Purchases of arms and ammunition by residents of the Indian States in the Madras Presidency will be reported direct to the Agent to the Governor General, Madras States, Trivandrum. Reports of the purchase of firearms by residents of the Civil and Military Station, Bangalore, will be sent to the District Magistrate of that Station.

The Commissioner of Police, Calcutta, and Superintendents of Police, outside Calcutta, should report to the officers mentioned below the purchase of all arms and ammunition by persons residing in or who are permanent residents of the North-West Frontier Province from dealers or manufacturers in Bengal :—

(i) In the case of residents of British districts, viz., Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan.	}	To the Superintendent of Police concerned.
(ii) In the case of residents of the Indian States of Amb and Phulera.	}	To the Deputy Commissioner, Hazara district, Abbottabad.
(iii) In the case of residents of the Indian States of Chitral and Dir.	}	To the Political Agent Dir, Swat and Chitral Agencies, Malakand.

121. When **Residents of Bengal purchase arms and ammunition** of any description in the United Provinces, the Central Provinces, Bihar and Orissa, the Madras Presidency, and the Civil and Military Station, Bangalore, it has been arranged that the district Magistrate of those Provinces and the station of Bangalore shall address the Commissioner of Police, Calcutta, when the purchaser is a resident in Calcutta and in the case of the purchaser living in Bengal, outside Calcutta, the Superintendent of Police of the district in which he resides.

122. The Commissioner of Police, Calcutta, will maintain a **register** in Exe. Form no. 393 (item 8 in Schedule of Provincial Forms) **showing the importation of arms by dealers**. Licensed dealers when importing arms should be required to submit their bills of entry in triplicate and the triplicates should be sent by the Collector of Customs in weekly bundles to the Commissioner of Police for such use as may be required for police purposes. A register in Form no. 150 (item 9 in Schedule of Provincial Forms) showing the importation of arms by private individuals should be maintained province by province in the office of the Collector of Customs, Calcutta. The Collector of Customs should forward transcripts of this register weekly to the province concerned and those relating to Bengal to the Commissioner of Police, Calcutta, who will verify the entries in the same manner as sales of arms. Transcripts of the register showing the import of arms by residents of Indian States should also be forwarded to the Commissioner of Police for record and verification through the local authorities.

123. Under section 3 of the Wild Birds and Animals Protection Act, 1912 (VIII of 1912), and in supersession of the late E. B. and A. Govt.'s notn. no. 1361 P. L., dated the 28th April 1911, issued under the Indian Arms Rules, 1909, the periods indicated in lists A and B annexed hereto to be **close seasons for the birds and animals**, respectively, mentioned in those lists throughout the whole of the Presidency of Bengal. Bengal Notn. No. 8338 For., dated the 25th Aug. 1914, is hereby cancelled.

## LIST A.—THE WHOLE YEAR.

<i>Birds.</i>	
Laughing thrushes ...	(Timaliidæ)
Babblers ...	(Turdidæ)
Whistling thrushes ...	(Sittidæ)
Nuthatches ...	(Dicuridæ)
Drongos ...	(Certhiidæ)
Creepers ...	(Troglodytidæ)
Wrens ...	(Sylvidæ)
Warblers ...	(Laniidæ)
Shrikes ...	(Campephagidæ)
Minivets ...	(Oriolidæ)
Orioles ...	(Graculidæ)
Grackles ...	(Sturnidæ)
Starlings ...	( " )
Mynas ...	(Muscicapidæ)
Fly-catchers ...	(Turdidæ)
Chats ...	(Turdidæ)
Robins and red starts,	
thrushes ...	(Turdidæ)
Blackbirds and ouzels ...	( " )
Martins and swallows ...	(Hirundinidæ)
Wagtails ...	(Motacillidæ)
Pipits ...	( " )
Larks (except ortolans)	(Alaudidæ)
Sunbirds ...	(Nectariniidæ)
Pittas ...	(Pittidæ)
Woodpeckers ...	(Picidæ)
Bee eaters ...	(Meropidæ)
Hoopoes ...	(Upupidæ)
Swifts ...	(Mycropidæ)
Cuckoos ...	(Cuculida)

<i>Birds.</i>	
Owls ...	(Tytonidæ)
	(Asionidæ)
Floricans—Cock and Hen	(Otidadæ)
Adjutant birds ...	(Ciconiidæ)

*Animals.*

Female buffaloes throughout the Presidency and male buffaloes in reserved or protected forests.  
 Rhinoceroses.  
 Female bisons; and in Jalpaiguri and Darjeeling districts male bison.  
 Female deer of all kinds.  
 Female antelopes.  
 Swamp deer—male and female.  
 Male deer when hornless or in velvet.  
 Gazelles.  
 Ringed or water lizards (Varanus Salvator) (Vernacular Ramgoddi length 4 feet inclusive of tail and girth 11 inches and below).  
 Black lizards (Varanus Nebulosus) (Vernacular Kalgoddi) (girth measurement 8 inches and below).  
 Yellow land lizards (Varanus Flavascens) (Vernacular Sonagoddi) (girth measurement 8 inches and below).  
 Gray land lizards (Varanus Bengalensis) (girth measurement 8 inches and below).

(Bengal Rev. Dept. notn. nos. 12246 and 12255 For., dated the 24th Oct. 1930.)

## LIST B.—PART OF THE YEAR.

<i>Birds.</i>	
All wild ducks—1st May to 30th September.	
Jungle-fowl—15th March to 30th Sept.	
Partridges—15th March to 30th September.	
Pheasants—15th March to 30th Sept.	
All pigeons and pea-fowl—1st March to 30th September.	
Oortolans—1st April to 31st August.	
Little egrets and cattle egrets—1st July to 31st August.	
King-fishers—1st January to 31st May.	

*Animals.*

Male bison other than in Jalpaiguri and Darjeeling Districts for which a whole year close season has been prescribed, *Vide* list A above—1st May to 31st August.  
 Barking deer stags with horns not in velvet—1st April to 30th Sept.  
 Hog deer Stags and Cheetal stags with horns, not in velvet.  
 "or Rajshahi Divn.—1st Oct. to 28th Feb.

*Animals.*

For other Divisions—1st May to 30th Sept.  
 Sambhar with horns not in velvet—1st April to 30th September.  
 Male antelopes—1st May to 30th Sept.  
 Hares—1st April to 30th September.  
 Serow and Gooral—male and female—1st May to 30th Sept.  
 Ringed or water lizards (Varanus Salvator) (Vernacular Ramgoddi) of more than 4 feet in length (inclusive of tail) and 11 inches in girth—15th Feb. to 15th August.  
 Black lizards (Varanus Nebulosus) (Vernacular Kalgoddi) of more than 8 inches in girth 15th Feb. to 15th Aug.  
 Yellow land lizards (Varanus Flavascens) (Vernacular Sonagoddi) of more than 8 inches in girth—15th Feb. to 15th Aug.  
 Grey land lizards (Varanus Bengalensis) of more than 8 inches in girth—15th Feb. to 30th Sept.

(Bengal notn. no. 442 T. R., dated the 19th May 1930.)

124. The following **warnings have been issued** by the Government of India to all **sportsmen whether Europeans or others**—

- (1) Not to trespass on standing crops without the consent of the owners.
- (2) Not to shoot peafowl or other birds and animals, regarded as sacred, in the vicinity of villages or habitations.
- (3) Not to shoot domestic animals, such as dogs and pigs.
- (4) Not to shoot in the immediate vicinity of villages, temples and mosques. (H. D. Resn. No. 1458-93, dated 27th September 1895)

125. There should be a **single annual report on the working of the Arms Act** in the form shewn on page 244.

It should be prepared in the first instance by the District Magistrate in such manner as he directs and submitted to Government through Commissioners of Divisions. In respect of Calcutta, the Commissioner of Police shall submit the annual\* report to Government in the Political Department direct. The **report should be in respect of the calendar year** and should be submitted by District Magistrates to their Divisional Commissioners on or before the 1st March. Commissioners in turn should submit to Government a consolidated report for their division on or before 30th April. The report of the Commissioner of Police should also reach the Secretariat by the 30th April. The Secretariat will give the Inspector-General of Police an opportunity of seeing the divisional reports for any remarks which he may have to make. The report should also contain a **statement regarding Government guns distributed to panchayats and others**. It is only in the disarmed district of Bakarganj that there has been any distribution of guns on a large scale. Accordingly such figures are required for that district only, and the Magistrate of Bakarganj should submit a statement on this subject, to be attached to the consolidated report submitted to Government. (Bengal no. 1122 P., dated the 26th January 1915, and no. 11680 P., dated the 6th Sep. 1917).

The report should also contain (a) a **brief note on the working of the rules under section 16 of the Arms Act**, as published with Notification no. 1372 P., dated the 24th March, 1927, (*Vide* page 179) and (b) a statement showing the total amount of fees realised during the year in respect of licences under the Act. (Bengal no. 3750-55 Pl., dated the 12th November 1921).

The report should also contain an annual review of the position in regard to the illicit possession of arms and ammunition. The District Magistrate, and the Commissioner of Police, Calcutta, should deal with the matter and report whether, in their opinion, the number of arms and amount of ammunition held illicitly is such that it either forms a menace to the peace of the district or should be taken into consideration from the point of view of the military internal security arrangements. (Bengal order no. 1578-1546 Pl., dated the 12th May 1926).

# Annual Report on the Working of the Arms Act for the year 192

IN THE DISTRICT OF \_\_\_\_\_  
DIVISION \_\_\_\_\_  
TOWN OF CALCUTTA.

## PARAGRAPH 1.—MANUFACTURE.—

(1) State whether the arms and ammunition are locally manufactured. If so, give any information you can collect about the character and approximate numbers of the arms manufactured (guns, daggers, etc.), and the kind of ammunition and its quality and quantity.

(2) What is the state of the factory or other places in which manufacture is carried on?

## PARAGRAPH 2.—SALE AND VERIFICATION.

### (1) Sale—

Fill up the statement, (shown in Bengal Manual, page 186), showing the sale of arms, ammunition during the year 19—.

### (2) Verification.—

What number of cases of sales of firearms were verified? Give the general results of verification, quoting any case of note especially those in which facts of importance were brought to light during verification.

## PARAGRAPH 3.—STOCK AND SALE OF ARMS AND AMMUNITION

Fill up the statement prescribed on page 187, Bengal Arms Manual.

## PARAGRAPH 4.—EXEMPTED PERSONS AND LICENCES.

(a) Fill up the list prescribed on page 188, Bengal Arms Manual.

*List of persons exempted from the operation of certain provisions of the Indian Arms Act under Schedule I, clause 6 (c) of the Indian Arms Rules, 1924. up to the 31st Dec. 19 .*

(b) Fill up the list shown on page 188, Bengal Arms Manual.

*List of persons holding life licences granted under para. 8 of Bengal Govt. letter no. 70-97 Pl., dated the 7th Jan., 1924.*

(c) Fill up the list of persons possessing cannon. (Form prescribed by letter nos. 2810-2815 Pl. dated the 23rd July 1929 on page 188 of Bengal Manual).

(d) General remarks on the working of the system of registering firearms in the possession of exempted persons.

(e) General remarks as to exempted persons and the way in which they utilized the privilege of exemption with reference to any specific cases of improper utilization.

### Licences.

A. Fill up the statement prescribed on page 189 of the Bengal Arms Manual.

*Statement showing the number of licences issued under the Indian Arms Act during the year 19 .*

## PARAGRAPH 5.—PROSECUTION AND CONFISCATIONS.

### (1) Prosecutions—

(a) Fill up the statement prescribed in page 190 of the Bengal Arms Manual showing the results of prosecutions and confiscations under the various sections of the Arms Act during the year 19 .

(b) Refer briefly to important cases of prosecutions with their results.

### (2) Confiscations—

(a) Give a description of the confiscated weapons.

(b) State briefly the circumstances which necessitated the confiscation.

(c) How were the confiscated arms disposed of?

## PARAGRAPH 6.—REWARDS.

(1) State on Form prescribed on page 191 of Bengal Manual the aggregate number of cases with the total amount of rewards granted —(a) by the Magistrate, and (b) by the Superintendent of Police in connection with the Arms Act. Details are not required.

(2) State briefly important cases and give names of officers who have done good service during the year. Details of every case are not required and only the names of the officers need be given whose services have been especially meritorious :—

PARAGRAPH 7.—THEFTS.

Give a short account of the number of cases of thefts of firearms and ammunition with the general results and details of important cases during 19 .

PARAGRAPH 8.—MISCELLANEOUS.

Give a General summary of any features of the year's work which call for special comment, and refer to any other important matter not mentioned in the above paragraphs.

Question for the inspection of the Arms Act Dept., printed on pages 192—195 (Bengal Arms Manual).

SCHEDULE OF FORMS APPENDED TO THE BENGAL LOCAL RULES AND ORDERS.

ITEM NO I	RULE 36	BENGAL EXE. FORM 125
<i>Form of enquiry for firearms possessed by exempted persons.</i>		

NAME AND ADDRESS.

Rifles. The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number on barrel, or stock, or both. (b) Whether muzzle or breech-loading. (c) Whether single or double barrel. (d) Whether single shot or magazine. (e) If repeating, the capacity of the magazine. (f) The name of the dealer or person from whom obtained, with approximate date.

Smooth Bores. The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number on barrel, stock or both. (b) Whether muzzle or breech-loading. (c) Whether single or double barrel. (d) Whether single shot or magazine. (e) The name of the dealer or person from whom obtained, with approximate date.

Revolvers. The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number, and all other marks stating the part of the weapon on which they are stamped. (b) Whether muzzle or breech-loading. (c) Number of chambers for cartridges. (d) Name of the dealer or person from whom obtained, with approximate date.

Pistols. The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number stating the part of the weapon on which they are stamped. (b) Whether muzzle or breech-loading. (c) Whether single or double barrel. (d) Whether single shot or repeating. (e) If repeating, the capacity of the magazine. (f) The dealer or person from whom obtained, with approximate date. (g) Other arms in respect of which exemption is enjoyed.

The number of arms of the following kinds in the possession of the exempted persons should be shown against each :

- (a) Swords and sword sticks,—(b) Bayonets,—(c) daggers (Bengal notn. no. 1660 P. J. dated the 1st April 1929 and letter no. 4299 Pl. dated the 22nd October 1929 and para 36, Bengal Rules.)

ITEM NO. 2	(RULE 40)	B. E. FORM 125
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\*Parwana Form.—You A, B., son of C. D., of village E, thana F., are hereby appointed to be my armed retainer and you are authorised to possess, carry and use, in accordance with all lawful orders issued by me or my agent at one muzzle-loading gun No. gunpowder and percussion caps. You must not use the gun or ammunition for any unlawful purpose except as you may be ordered and you must carry this parwana with you whenever you carry the gun outside the house or my Kacheri.—You must at once inform the nearest police-station of the loss or theft of any ammunition or of the gun.

(Thumb impression of retainer,  
to whom this parwana is issued.)

(Sd.) X. Y. Z.—(Name,  
title, if any, and address.)

## ITEM NO. 2A.

(RULE 37B.)

Authorisation for the carrying of arms in British India by servants of a Ruling Prince or Chief having a salute of guns, not accompanying such Prince or Chief.  
(See Paragraph 37B of Bengal Rules)

Names of the servants.	Names of fathers of the servants	Arms and ammunition carried by the servants.		Date up to which authorisation is valid. (To to be filled in by the Ruling Prince or Chief).
		Brief description of each weapon with details, e.g., distinguishing marks, etc.	Quantity and description of each kind of ammunition.	
1	2	3	4	5
		Seal of Ruling Prince or Chief. Signature of Ruling Prince or Chief. Date—	Seal of Ruling Prince or Chief. Signature of Ruling Prince or Chief. Date—	
		Seal of Ruling Prince or Chief. Signature of Ruling Prince or Chief. Date—	Seal of Ruling Prince or Chief. Signature of Ruling Prince or Chief. Date—	
		Seal of Ruling Prince or Chief. Signature of Ruling Prince or Chief. Date—	Seal of Ruling Prince or Chief. Signature of Ruling Prince or Chief. Date—	

*Seal of Political Officer.**Signature of Political Officer.**Designation.**Date—*

For. D. letter No. F. 363-G/29, dated the 16th December 1930.

## ITEM NO. 3.

(BENGAL RULE 41.)

B. E. F. NO. 134A.

\*Parwana— You Son of Village Thana District, are hereby appointed to be an armed retainer of the firm and you are hereby authorised to possess, carry and use in accordance with all lawful order issued by me or a member or agent of the firm one breech-loading gun No. and cartridges. You must not use the gun or ammunition for any unlawful purpose or except as you may be ordered, and you must carry this Parwana with you whenever you carry the gun.

Signature Name Address Position in firm Name and address of firm . Thumb impression of retainer to whom this parwana is issued

## ITEM 4.

(BENGAL RULE 56.)

B. E. FORM 185 (New)—225 B. (Old.)

Register of applications, (Rule 56 above).

Serial no.	Date of petition.	Name and residence of applicant.	Purport of petition.	Preliminary order and date by which the report (if any) called for must be submitted.	Date of submission of report	Final order and date.	REMARKS.
1	2	3	4	5	6	7	8

## ITEM No. 5

(BENGAL RULE 56.)

**Form of Enquiry on an Application for a Licence.**

- I. Name, age and address \* of applicant.
  - II. Character of weapon and licence applied for.
  - III. Where does applicant usually reside?
  - IV. Approximate income of applicant (or of family where he is a member of a joint family). What sum, if any, does applicant pay as (1) income-tax, (2) Chaukidari-tax?
  - V. (a) Is applicant the head of the household; if not who is?  
(b) Do any members of his family living with or near him possess a licence?
  - VI. Is applicant or any of his near relatives concerned in any land dispute?
  - VII. Has applicant ever been concerned in any riot or other criminal case?
  - VIII. What is applicant's character (by general repute or from your personal knowledge)?
  - IX. Give other particulars regarding applicant's antecedents.
  - X. Are there any wild animals from the ravages of which it is necessary for the applicant to have a gun to protect his crops? State the number of men and cattle killed during the year by wild animals in the village or neighbourhood.
  - XI. If the licence is desired for protection of valuable property kept at applicant's homestead, give a brief description of its situation and surroundings.
  - XII. Miscellaneous,  
(a)  
(b)  
(c)
  - XIII. Recommendation of the enquiring officer.
  - XIV. Form of licence recommended
  - XV. Area for which recommended
- Signature of the enquiring officer.*  
 Remarks of the Sub-divisional officer.  
 Remarks of the Superintendent of Police.  
 Orders of the District Magistrate.

\* NOTE (1)—See section 2 of Act XVI of 1904. Against this question is to be stated whether the father of the applicant is alive or dead.

NOTE (2)—Items III-XV are to be filled in and signed after a personal enquiry by the officer in charge of the police-station when this form is addressed to him, and this enquiry slip should be submitted through the sub-divisional Officer to the Superintendent of Police who will forward it to the District Magistrate but when enquiries are made by agencies other than the police the enquiry slip should be returned through Sub-Divisional Officer to the District Magistrate.

## ITEM No. 6.

(BENGAL RULE 72)

B. E. F. 126

**Register of licences issued to persons residing in the police-station.**

Serial number of licence.	Form of licence.	Description of weapon.	Number of gun.	Name, father's name and residence of licensee.	Date of issue of licence and fee realised. (Note here whether fee received in cash or in stamps. If in cash, the number and date of the chalan to be noted).	DATES OF RENEWALS AND FEE REALISED.										REMARKS.  (Date of cancellation should be entered in red ink in this column.
						(Note here whether fee received in cash or stamps. If in cash the number and date of the chalan to be noted)										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	

(Bengal letter no. 372-99 Pl. dated the 29th January, 1930 and letter no. 63 Pl. D., dated the 14th April 1930)



ITEM NO. 7.

(BENGAL RULE 92)

B. E. F. 189

Register of cancelled licences under the Indian Arms Act, 1873, [Rule 92].

Serial no.	Name of licensee with father's name.	Address (quote also number of panchayati or Local Board Union).	Description and district number of weapons and form and number of licences.	Date of cancellation and Magistrate's initials.	Reasons for cancellation (briefly) with reference to records of police or criminal case (if any).	Date of receipt in Malkhana and number in Malkhana Register.	Magistrate's initial.	Final order of disposal.
1	2	3	4	5	6	7	8	9

ITEM NO. 8.

(BENGAL RULE 123)

B. E. F. 393

Register of import of fire-arms, [Rule 122].

Serial no.	Date of import.	Vessel by which imported.	Name and address of dealer.	Name and address of private individuals.	Description of weapon.	Bore.	Single or double barrel or number of chamber.	Number of weapon.	Maker's name.	Date of sale.	Name and address of purchaser.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13

ITEM NO. 9.

(BENGAL RULE 122.)

B. E. F. 150.

Register of the import of arms by private individuals.

I. D. R. no. and date.	Vessel by which imported.	Name, address and profession of importer.	Description of weapon.  A.—Rifle. B.—Gun. C.—Revolver. D.—Pistol.	Bore of weapon.	Single or double barrel.	Number of weapon.	Maker's name.	Value.	Drawback.		Amount allowed.
									No.	Date.	
1	2	3	4	5	6	7	8	9	10	11	12

ITEM NO. 10.

(BENGAL RULES 94 and 103.)

B. E. F. 190.

## Form of the Arms Register of the Malkhana.

Date of Receipt.	Serial number.	Class of weapon.	Licence number and year.	Number of weapon.	Thana.	Owner.	From whom received.	Initials of Sub-Inspector.	Date of receipt of information by Arms Act clerk.	Initials of Arms Act clerk.	Date of despatch to Arsenal.	Initials of despatching officer.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

ITEM No. 11.

(BENGAL RULES 94, 95, 96 and 102.)

P. R. B. F. 193

## ORIGINAL.

Serial number.	Name of depositor.	Address.	Number of licence, if any. (note here whether licence is also deposited)	Full description of the weapon deposited, (number and maker's name, class of weapon, etc.)	Value.	Cause of deposit.	Date of receipt at police station.	Signature of the depositor or his agent.	Date of despatch to Court.	Remarks (manner of disposal) with initials of the officer in charge of the police station.	DUPLICATE COPY AND TRIPLICATE COPY. (11 COLUMNS AS IN ORIGINAL).
1	2	3	4	5	6	7	8	9	10	11	

NOTE.—The above form is required in triplicate.

ITEM NO. 12.

(BENGAL RULES 117 AND 119)

B. E. F. NO. 131.

## Sale Verification Slip.

No. ....

Date .....

From the Commissioner of Police, Calcutta.

The Superintendent of Police,—District.

Please verify the following sale :—

THE SUB-INSPECTOR .....TOWN.

To

The Supdt. of Police .....District.

From dealer....

Date of sale.	Name of purchaser.	Full address (if mufussil, state village, police-station and district.)	Arms purchased (give description, including the bore, number and maker's name).	AMMUNITION PURCHASED.		VERIFICATION REPORT AND REMARKS.  (If exempted how? If licensed, state number, date and by whom granted: If unverified, why?)
				Description.	Quantity.	
1	2	3	4	5	6	7

Signature and rank of verifying Officer.

ITEM NO. 13.

(BENGAL RULES 89 AND 90.)

B. E. F. NO. 184 (NEW)

Register of firearms and ammunition deposited for safe custody prescribed  
under condition 3 of Licence Form XIII.

Date of deposit.	Name of owner.	Address, including village, police-station and district).	If exempted, how.	Number, date, duration and form of licence and authority by whom granted.	Number and description of arms and ammunition.	How disposed of.
1	2	3	4	5	6	7

ITEM NO. 14.

(BENGAL RULE 111.)

B. E. F. 186A.

Sale Book—section 17 (c) of Act XI of 1878, (For Calcutta only).

FIRE-ARMS AND AMMUNITION—

- A.—Muzzle-loading.  
B.—Breech-loading (rifled).  
C.—Breech-loading (not rifled).  
D.—Double-barrelled.  
S.—Single-barrelled.

Date of sale.		Name of purchaser, and, if Indian, father's name.	Residence of purchaser. (NOTE.—if outside Calcutta, give name of village, police-station, district, province.)	Under licence or exempt: if under licence, number and date of licence, and by whom granted.	Sporting rifles, A or B, D or S.	Guns, A, or C, D or S.	Revolvers, A, B or C.	Pistols, A, B or C, D or S.	Air-rifles and air-guns.	(1) Bore, (2) number, (3) maker's name of arms.	Sword.	Sword-sticks.	Gunpowder.	Shot.	Bullets.	Percussion caps.	Rifle cartridges, B.		Gun cartridges, C.		Pistols or revolver cartridges, B.	Sulphur, saltpetre, lead, fuze or other materials.	Result of verification.					
1	2																Quantity.	Bore.	Quantity.	Bore.				Quantity.	Bore.	Quantity.	Bore.	Quantity.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21								

ITEM 15.

(BENGAL RULE 111.)

B. E. F. 187

Sale Book of Arms—section 17 (c) of Act XI of 1878. (For places outside Calcutta).

1	2	3	4	5	6
Date of sale.	Name and profession of purchaser, and if Indian, father's name.	Residence (including name of police-station and district).	Under licence or exempt: if under licence, number and date of licence and by whom granted.	ARMS SOLD (EACH KIND OF ARMS SHOULD BE SEPARATELY SHOWN).	Result of verification.
				Description with distinguishing marks, number and size of bore and maker's name.	
				Quantity.	
				Price.	

ITEM 16.

(BENGAL RULE 111.)

B. E. F. 188

Sale Book of Ammunition—section 17 (c) of Act XI of 1878, (For places outside Calcutta.)

1	2	3	4	5			6			7
Date of sale.	Name and profession of purchaser, and if Indian, father's name.	Residence (including name of police-station and district).	Under licence, or exempt: if under licence, number and date of licence and by whom granted.	AMMUNITION SOLD.			SULPHUR, SALTPETRE, LEAD OR OTHER MILITARY STORES.			Result of verification.
				Description.	Quantity.	Price.	Description.	Quantity.	Value.	





## UNITED PROVINCES—LOCAL RULES AND ORDERS.

*Resolution of the Government of the United Provinces, no. 1719—VIII—225, dated the 3rd May, 1924, on the Report of the Committee appointed to revise the United Provinces Arms Rules and Orders with reference to the Indian Arms Rules, 1924.*

On November 3rd, 1923, the Government of India published in their notification under no. F.-829-I—23, the Indian Arms Rules, 1924. On the same date they issued resolution no. F.-829 I—22, in which they discussed the recommendations of the Indian Arms Rules Committee and indicated the questions which were left to the decision of the local Government. A small committee was then appointed by this Government to examine these questions. After full consideration of the report, the Governor in Council has been pleased to sanction a number of changes in the United Provinces Arms Rules and Orders, which will shortly be amended accordingly. Meanwhile a summary of the more important decisions is published for general information.

2. The Indian Arms Rules, 1924, have made a number of changes in existing practice. Some of these take effect without further action by the local Government. Among these may be noted that—

- (1) Power is given to Sub-divisional officers to renew licences ;
- (2) Fees payable on renewal of licences for fire-arms other than muzzle-loading weapons have been reduced by one half ; and
- (3) Entries 11, 11-A, and 11-B, of Schedule I of the Arms Rules, 1920, have been abolished.

**Title-holders** and others who were formerly exempted under these clauses will now receive licences for life free of charge provided that they apply to the District Magistrate within six months of January 1st, 1924, or, in the case of those who were not in India on that date, within six months of their return to India.

3. In other cases executive orders are necessary in order to give effect to the orders of the Government of India, as framed in the Indian Arms Rules of 1924. These will be published in due course. Among these are the following :—

(1) Under rule 3 (1) (b) of the Arms Rules, 1924, all persons exempted are required to register the fire-arms or ammunition in respect of which they are exempted. It has been decided that this registration shall not be made annually and in respect of ammunition shall only be made at the time of the initial registration. After the initial registration an exempted person will be required to report to the District Magistrate any change in the arms in his possession in respect of which he is exempted.

(2) Under rule 43 (1) a right of appeal is given when a licensing authority refuses to grant or renew a licence. It has been decided that this appeal must be made within 30 days of the order appealed against. It will be observed that no mention is made of the right of appeal against an order of cancellation under section 18 of the Arms Act, 1878. When a licence is cancelled in the course of a judicial proceeding, an appeal presumably lies in the ordinary course, and there seems no reason why, when appeals are allowed in cases of refusals to grant or renew a licence, an order of cancellation by a District Magistrate should not also be appealed against. It has therefore been decided that appeals against orders passed under section 18 (a) of the Arms Act, 1878, shall be allowed in the same way as appeals under rule 43 of the Indian Arms Rules, 1924.

(3) Applications for the grant or renewal of licences may be made by post. This does not, however, affect the obligation of any licensee to produce the arms when required under rule 45 ; and it has accordingly been decided that applications for the renewal of cultivators' licences, Forms XVIII and XIX, shall not be made by post unless they are attested by the tahsildar after examination of the arms which they cover.

4. The following orders have been passed on the questions left to the decision of the local Government :—

(1) Schedule I, clause (6) (g). The following landholders will be included in this clause, namely, those who—

(a) pay land revenue not less than Rs. 10,000 or would so pay if they were not wholly or in part revenue-free; and

(b) are borne on the divisional durbar lists and whose fathers or immediate predecessors in interest were also so borne.

The limit of exemption and the number of retainers allowed will be laid down by the local Government in each case.

(2) Schedule VII, clause (7). Under this clause will come (a) Stipendiary Magistrates, and (b) Justices of Peace, in respect of all arms.

(3) The licence year instead of running from April 1st to March 31st as hitherto, will be the same as the calendar year *i.e.*, from January 1st to December 31st.

(4) Under rule 42 (3) (c) when a licence is renewed by an authority other than the authority who granted it, the former will inform the latter of the fact of renewal. To cover the cases of those who change their residence more than once it has been decided that information must also be given to the last renewing authority as well as to the authority who originally granted the licence.

(5) In accordance with the recommendations of the Arms Rules Committee it has been decided that no fixed limitation of ammunition shall be laid down. The ordinary standards to be allowed will be 200 rounds per rifle, and 100 rounds per revolver. No limit is prescribed in the case of shot-guns or .22 bore or target rifles, while for muzzle-loading guns the limits will remain as at present. The licensing authorities will, however, have the power to vary these standards in the direction of greater or less restriction at their discretion.

5. These changes will be given effect to in a new edition of the United Provinces Arms Rules and Orders, which is under preparation. The Governor in Council trusts that licensing authorities will exercise their powers under these rules with discretion and consideration and will observe the spirit as well as the letter of the rules. In particular, he desires to emphasise the desirability of avoiding delay in the issue or renewal of licences and, when enquiries as to the suitability of applicants for licences have to be made, of subjecting the applicants to as little annoyance and indignity as possible.

#### UNITED PROVINCES,—ARMS RULES AND ORDERS.

1. **Exemption.**—*Vide* note (13) to Schedule II, page 137.

2. **Cancellation of exemption.**—*Vide* note (13) to Schedule II, page 137.

3. **Exemption of kirpans.**—*Vide* note (14) to Schedule II, page 138.

4. **Registration of firearms.**—*Vide* note (15) to Schedule I, page 126.

5. **Exemption of public servants.**—*Vide* note (16) to Schedule I, page 127.

6. **Definition of "Talukdars" and "Zamindars"**—*Vide* note (17) to Schedule I, page 127.

7. **Arms presented by Government.**—*Vide* note (18) to Schedule I, page 127.

8. **Former exemptees.**—*Vide* note (19) to Schedule I, page 127.



9. **Scale of arms for exemptees.**—*Vide* note (14) to Schedule I, pages 125-126.

10. **Firearms in excess of prescribed scale.**—*Vide* note (20) to Schedule I, page 127.

11. **Retainers' Arms.**—*Vide* note (21) to Schedule I, page 128.

12. **Retinues of princes, etc.**—*Vide* note (22) to Schedule I, page 128.

13. **Armed guards travelling through British India.**—*Vide* note (23) to Schedule I, page 128.

14. **Facilities to exempted persons.**—*Vide* note (24) to Schedule I, page 128.

15. **Certificates of exemption.**—*Vide* note (25) to Schedule I, page 128.

16. **Improper use of weapons by exemptees**—*Vide* note (5) to Rule 3, page 81.

17. **Air-guns and air-rifles.**—*Vide* note (10) to Schedule II, page 137.

18. **Firearms captured as trophies.**—*Vide* note (28) to Schedule I, page 128 and note (1) to Schedule II, page 133.

19. **Sulphur, lead, leaden bullets and bird-shot.**—*Vide* note (24) to Schedule II, page 139.

20-21. **Transport.**—*Vide* notes to section 10 of the Act, page 48.

22. **Import of rifles by exemptees.**—*Vide* note (7) to Rule 7, page 83.

(**Mauser and Bergmann Pistols.**—Cancelled—H. D. letter no. F-21-XXXIII—23 dated the 25th June 1925).

23. Importation of rifles with "**sub-target rifle machines**" is strictly prohibited.

24. **Import licences under Explosives Act.**—*Vide* note (3) to Rule 7, page 83.

25. Condition (b), in column (3), against entry no. (8) of Schedule VI, (page 146) does not apply in its entirety to **Waziristan**. All licences for export of arms and ammunition to **persons residing or serving in Waziristan**, should be issued by the District Magistrate of Meerut, only after previous consultation with the Political Agent, Tochi or Wana, as the case may be (F. and P. D. no. 533 G. dated the 30th June 1925).

25A. **Appliances** are manufactured in America for **discharging of gas**, which causes temporary blindness and suffocation. They are mostly in the form of **pistols, revolvers, hand grenades or fountain pens**. These appliances should be regarded as included in the definition of "arms" contained in section 4 of the Arms Act, and all applications for licences for their import should be refused. (H. D. no. F-21-LV-28 dated the 31st Dec. 1928, and U. P. G. O. no. 1019 dated the 5th April 1929).

26 27. **Export to Indian States.**—*Vide* notes (3) and (9) to Rule 19 on pages 91 and 92.

28. **Political officers to grant export licences.**—*Vide* note (4) to rule 19, page 91.

29. **Export of arms for ruling chiefs.**—*Vide* note to Rule 39, page 108.

30. **Export of cannon to Indian states.**—*Vide* note (1) to Rule 19, page 91.

31. **Ammunition of prohibited bores.**—*Vide* note (1) to Rule 28, page 98.

32. **Licences in forms IX and XII** should be granted only for a specified quantity of arms and ammunition, the amounts being fixed by the licensing authorities on the merits of each case. In cases where the licensing authority is the local Government, District Magistrate should state, when forwarding the application for a licence, what quantities they recommend. (G. O. No 2883 dated the 28th May 1920).

32A. Licensing authorities may permit persons or firms holding a licence in one of the forms IX to XII to **test firearms** at recognized ranges. The permit must be in writing and specify—(i) the licensee, (ii) the range, (iii) the person to carry out the test. (H. D. letter no. 21-V-30 dated the 18th Oct. 1930).

33. (i) **Vendors of ammunition are required to take out licences under the Explosives Act** in addition to the licences they may be required to take out under the Arms Act, as vendors of firearms. (See Bengal Rule 106, page 238).

(ii) Should any person who **makes and sells fireworks combine with his trade the manufacture and sale of gunpowder** or any of the articles enumerated in section 5 of the Arms Act, he will be required to take out a licence under the Arms Act according to Forms IX, X, XI or XII, as the case may be, or in Form A or B under the **Explosives Act**, endorsed to have effect under the Arms Act. [G. O. No. 1107, dated the 11th Sep., 1880.]

34. The orders conveyed in the preceding rule and in rule 37 **do not apply to persons who only sell fireworks**. In their case the police should watch that the conditions of the licence are not transgressed, and may inspect the premises of the licensees, and, if necessary, examine their books of account. [Rule on page 72 of U. P. Arms Rules, 1909, amended.]

35. **Repairing arms.**—*Vide* note (5) to section 5 of the Act, page 44.

36. The authority for the supply of arms to a State should generally be held as sufficient authority for **repairing the arms** as necessary either—(a) by recall to the arsenal for repair and replacement of all unserviceable or lost components; or if the repair is undertaken by the State itself—(b) by the issue of components as necessary to replace unserviceable or lost or damaged parts. In the case of (b), the more important of the unserviceable components should be returned to the arsenal and issue of components in replacement of unserviceable or lost or damaged ones should be made on indents submitted through the Political Agent concerned. The repairs or the supply of the necessary components, as the case may be, will be on payment. [H. D. no. 970-D., dated the 16th April, 1910.]

37. (a) Magistrates in granting licences under rule 28 of the Indian Arms Rules to manufacture, convert or sell or keep arms, ammunition and military stores, or to keep and sell the same, shall deliver to each licensee two books in the Forms A and C or B and D (as the case may be) shown in Appendix I; the one to be kept up as showing his stock in-trade, and the other for the purpose of showing the sales of each day. The pages of these books should be numbered from beginning to end, and the first and last page of each should be signed by the Magistrate, or some responsible subordinate, and sealed with his official seal.

(b) The licensee will be required to pay the cost of these books. The Magistrate, in delivering these books to the licensee, will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so.

(c) In order to ensure that all arms and ammunition received by dealers are brought to account in the stock books and subsequently in the day-books of licensed vendors, arrangements should be made for the timely examination of consignments on arrival by an officer not below the rank of officer-in-charge of a police-station, who should see that the necessary entry is made in the books of the firm. By the terms of the licence the articles must be available for exhibition within six days of the arrival of the consignment. [G. O. No. 2099, dated the 27th July, 1893, and G. O. No. 4096, dated the 23rd July 1925.]

(d) Except in the case of arms of European manufacture, which are already numbered and marked, every licensed vendor of arms shall, previous to sale, stamp every weapon in a permanent manner with a number and mark, and shall on sale enter the number and mark of the weapon sold, whether of European or Indian manufacture, in column 4 of his day-book (Form C or D), forwarding forthwith within 48 hours a copy of the entry, to the Magistrate of the district in which he has his place of business, factory or shop. In addition to the number and mark a full description of the weapon sold shall also be entered in column 4. [G. O. no. 1107, dated the 11th Sep. 1889.]

38. **Penalty for not taking proper precautions for the safe custody of gunpowder and firearms.**—Similar to Bengal Rule 106, page 238.

39. **Ammunition of the prohibited bores.**—*Vide* notes (4), (5), (6) and (10) to Rule 7, pages 83—84.

40. **No limit has been fixed as to the number of rifles and shot-guns** which may be possessed under a single licence. But the licensing authority is authorised to restrict at his discretion the quantity of arms which may be possessed by a licence-holder in particular cases.

41. **The quantity of ammunition** to be allowed to a licensee in respect of each weapon rests on the discretion of the licensing officer, provided that except in special cases the quantity shall not exceed—

(i) 200 cartridges for each sporting rifle; (ii) 100 cartridges for each revolver or pistol; and (iii) 250 percussion caps where one of

the weapons is a muzzle-loader. These limits are the maxima to be held at any one time by a licensee. They will not always be allowed as a matter of course; the licensing authority may at his discretion, reduce the allowance of ammunition in the case of any particular licensee. [U. P. resn. no. 1719 dated the 3rd May, 1924.]

42. **Licences for pistols and revolvers.**—*Vide* note (7) to Rule 33, page 103.

43. **Forest rangers** may ordinarily be granted licences for one shot-gun and one rifle each. They should not be allowed to possess a revolver or pistol unless special circumstances render the issue of a licence for such weapons in any particular case necessary. [G. O. no. 2991, dated the 4th June, 1920].

44. Under paragraph 8 of \*Appendix III to the **Army Regulation**, India Volume II, **Unit Commanders** are empowered to grant passes for arms to soldiers proceeding on furlough. If such soldiers, however, are not serving with the Colours but are employed under a civil department they must obtain licences in Form XVI under the Arms Act, and such a licence can be granted by the civil authorities only. [G. O. no. 3072, dated the 27th Nov. 1895.]

45. Unit Commanders have been instructed to furnish District Magistrates with the names of such soldiers proceeding on furlough as are granted passes under paragraph 8 of \*Appendix III to the Army Regulation, India, Volume II, to carry and bear private arms, together with the description of the arms covered by the passes. A list of soldiers who have been granted such passes should be maintained in District Magistrate's offices, as the information may on occasion be useful. Paragraph 8 of Appendix III to the Army Regulations provides that when passes granted to soldiers proceeding on furlough are withdrawn or cancelled the Magistrate or Political Officer concerned is to be so informed. On receiving such information Magistrate should see that the arms held under the passes are surrendered or licences taken out for them. (G. O. no. 3695, dated the 12th October 1894.)

46. **Licences to foreigners travelling bona fide for the purpose of trade**—*Vide* note (3) to Rule 28 page 98.

47. **Licences in form XX.**—Cancelled by F. and P. D. no. 47 G. dated the 8th May, 1925.

48. (i) The terms of the licence in Form XVI mean that, unless there are clear orders to the contrary, a retainer is allowed to carry and use the arms covered by the licence (*i.e.*, entered in columns 8 and 9 of the licence) whether he is in attendance on his master or not.—

(ii) The retainer of an exemptee, if included in list of retainers sanctioned under clause 6 (g) of Schedule I, and communicated to the District Magistrate, is similarly entitled to carry and use the arms in respect of which his master is exempt whether he is in attendance on his master or not.

(iii) Relations can be entered in column 2 of the licence without payment of extra fees.

(iv) The entry of retainers should not be allowed as a matter of course but after consideration of the status and needs of the licensee. The fact that the licensee

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\* Printed as Appendix D. to these (U. P.) Rules. *Vide* also notes (3) and (4) on page 101.

## 260 LOCAL RULES AND ORDERS [UNITED PROVINCES].

is of a class which does not habitually use arms but needs arms for the protection of himself or his property should be a valid reason for allowing a retainer.

(v) No fees shall be charged for retainers. No. 5333 dated the 30th April 1924.

49. **The Sub-divisional Officers, Lalitpur, Roorkee, Deoria-Kassia, Karwi and Mahoba** are authorised to issue licence to person within their sub-divisions. [Res. No. 5572, dated the 10th Nov. 1919].

50. **Persons of approved character and status are prima facie entitled to licences** for the possession of rifles, other than prohibited bores, and smooth bores in particular. Such licences may be granted on application unless there are clear reasons to the contrary to persons who possess any of the following qualifications:—

(a) Membership of any Order established by the Crown, or the possession of a title conferred or recognized by the Government of India or of the Kaisar-i-Hind medal or a certificate of honour signed either by the Viceroy or by the Head of a local Government or Administration

(b) Membership, past or present of the Indian or a Provincial Legislative Council or inclusion in the list of Provincial Darbaris.

(c) Payment of not less than Rs. 1,000 per annum land revenue,

(d) Payment of income tax on an income of not less than Rs. 3,000 a year for the three years preceding the issue of the licence.

(e) Being a Government officer in receipt of not less than Rs. 250 per mensem.

(f) Being a commissioned or gazetted officer of His Majesty's Military or Naval Forces or His Majesty's Indian Marine Service or a commissioned Indian officer of the Imperial Service Troops in active service.

(g) Being a pensioned officer who before retirement was by virtue of his official position included in any of the classes described in (e) or (f) above.

(h) Being a honorary Magistrate, honorary munsif or honorary assistant collector. [Res. no. 5572, dated the 10th November 1919.]

51. **Village headmen of good position** or meritorious service should be considered as having a claim to be allowed a gun licence superior to the claims of other residents in the village.

52. Where an enquiry is found to be necessary **as to the character and status of an applicant for a licence**, such enquiry may be made through other agencies in addition to or in substitution for the police and should not involve undue annoyance to the applicant. [H. D. resn. no. F. 829-1-22 dated the 3rd Nov. 1924, page 19.]

53. **Licences in form XVI should only be issued to respectable men** who are free from all suspicion of connection with criminals, and who may be confidently relied on not to use, or to allow the use of the arms for improper purposes [G. O. no. 2147, dated the 5th Aug. 1897.]

53A. Licences in form XVI-A should be issued only in cases in which the standing or circumstances of the exemptee are such as to make it reasonable for him to employ a **retainer or retainers** to carry his arms, and the antecedents and character of any person for whom a licence in this form is desired, should be scrutinized with the same care as those of a retainer whose name it is proposed to enter in a licence in form XVI. (G. O. no. 1286 dated the 30th April 1929).

54. **Licences in Form XVI** should ordinarily be made **valid by the licensing officer throughout British India**, except the district of Malabar in the Madras Presidency, and should be granted for

periods expiring on the 31st December. Where special reasons exist and are recorded licensing officers may restrict the validity of licences. [G. O. no. 720, dated the 6th April 1921.]

The district officers of the Benares division and the district officer of Allahabad are empowered, with reference to condition no. 3 of licence form XVI to make licences granted on that form valid for the Benares State, provided that a copy of each such licence is forwarded to the Benares Darbar. Similarly the Darbar can make their corresponding licences valid for the Benares division and the Allahabad district, if they forward a copy of such licences to the district officer of the British district concerned. (G. O. no. 894 dated the 16th Feb. 1926 and no. 4161 dated the 30th June 1926).

In the case of the Malabar district if a licensee wishes to visit that district he should be instructed to get his licence endorsed by the District Magistrate of Malabar to make it valid in that district [G. O. no. 1901, dated the 25th May, 1923.]

**55. Instructions for facilitating the grant renewal and distribution of arms licences in Form XVI :—**

(1) Applications for licence in Form XVI or for renewals should either be written on impressed paper of the prescribed value or accompanied by a cash payment of the requisite amount and should ordinarily be presented or sent by registered post to the licensing authority so as to reach him by the 15th December preceding the date of expiry of the licence.

(2) A licensing officer may, if necessary, require the personal appearance of the applicant. All applications for licences in Form XVIII and XIX and for renewal of the same should be made in person, unless they are attested by the tahsildar after examination of the arms they cover.

(3) If the application be for renewal of a licence, no enquiry should ordinarily be necessary beyond a reference to the register in Form G., Appendix I, appended to these rules, but the Superintendent of Police should bring to the notice of the Magistrate during the year any irregularity or breach of the rules framed under the Act, or of the conditions of the licence, and an abstract of such report and of any orders which may have been passed thereon should be entered in column 10 of this register.

(4) It is not necessary to issue fresh licence forms on every renewal of a licence. A space is provided in the licence form for renewals and should be utilised for the purpose.

(5) Licences should ordinarily be ready for delivery by the 15th January at the latest; and it shall be optional for applicants to appear in person and take delivery on that date or on a date to be fixed by the licensing authority, or to have them sent through the village chaukidars or by registered post.

(6) Licences to be delivered through village chaukidars should be sent through the office of the Superintendent of Police, accompanied by a list and a separate invoice of each licence, to the officers in charge of the police stations within the jurisdiction of which the licensee resides. Each licence with its invoice should be made over, for delivery to the licensee, to the chaukidars of the licensee's village, on the occasion of the chaukidar's next periodical visit to the police station after the receipt of the licences. The date of making over the licence to the chaukidar should be endorsed on the invoice, and on the occasion of his following visit to the police station the chaukidar should return the invoice signed and dated by the recipient and report the date of actual delivery.

(7) The list and invoice should be returned to the licensing authority through the Superintendent of police, who should scrutinise them, and bring all cases to the notice of the licensing authority in which more than one month's delay may have taken place in the delivery of any licence.

(8) Copy of the entries in register G should ordinarily be furnished to the Superintendent of Police by the 1st February for compliance with rule 66 of these rules. [G. O. no. 1932, dated the 16th August 1889 as modified by G. O. no. 1209, dated the 28th March. 1924, resn. no. 1719, dated the 3rd May, 1924, G. O. no. 5377, dated the 30th September 1924 and G. O. no. 4096, dated the 23rd July 1925].

56. Officers in charge of police stations should bring to the notice of Superintendents of Police all cases in which **licences to carry arms are granted to men of bad character**. Superintendents of Police should after careful personal enquiry in each case and after satisfying themselves that the information on which the licence-holder is classed as a bad character is correct, bring these cases to the notice of the District Magistrate and apply for the withdrawal of the licences. [G. O. no. 1046, dated the 4th May 1892].

57. In licences granted in Forms XVI to XX the **description of each weapon** should be entered in detail in the column provided for the purpose. The amount of ammunition which the licence-holder may possess should also be entered in the licence in every case. [G. O. no. 2099, dated the 27th July, 1893, and no. 1909, dated the 6th June, 1905.]

57A. All **machinery for re-loading empty cartridge cases is "ammunition"** within the meaning of section 4 of Indian Arms Act, 1878, and therefore the possession of such machinery requires a licence or a special mention of it in a licence to possess arms. (G. O. no. 399 dated the 22nd Jan. 1926.)

58. Weapons, like the "Explora" "Fauneta" and "Paradox" ball and shot guns, which though mainly smooth-bore are rifled at the muzzle of the barrels should not be regarded as smooth bore guns, and should not be possessed by or sold to persons having licences for the possession or sale of shot guns, unless the terms of the licence expressly include rifles. (H. D. no. F-23-X-21 dated the 2nd May 1923, *vide* also (15) to Rule 33, page 103).

58A. The weapons described below and all similar weapons should be classed as pistols and all the restrictions in regard to ordinary pistols and revolvers should be applied to them :—

(i) **Ithaca Auto and Burglar Gun**. Made in America, hammerless '20 bore, double-barrel, breech-loading pistol grip, barrel ten inches, total length about eighteen inches, takes either shot or ball cartridge.

(ii) **H. and R. Handy Gun**. Made in America, single barrel '410 "m/m" bore, breech-loading, central fire, barrel eight inches, total length twelve and three quarter inches, takes either shot or ball cartridge. (U. P. G. O. no. 2270 dated the 29th July 1929, based on the H. D. letter nos. 21-58-27 and F-21-XXXIV—29 dated the 20th Oct. 1927 and 9th July 1929 referred to as note (4) to rule 28 page 98 and note (17) to rule 33, page 104.)

59. All **reasonable facilities** should be afforded to **agriculturists** to obtain licences in Form XIX for the protection of crops and cattle. Such licences should not be withheld without good cause. [G. O. no. 414, dated the 22nd Jan. 1920].

60. Whenever a licence in Form XVIII or XIX is granted, the licensing authority should see that the weapon or **weapons are accurately described** in English and Vernacular. **Licences in Forms XVIII and XIX for rifles** should be granted very sparingly and with much caution. [G. O. no. 125, dated the 9th Jan. 1895].

61. **Commissioners of divisions are authorised to renew licence in Forms XI and XII.** (*Vide* note (3) to Rule 42, pages 110-111).

62. Under rule 42 (3) of the Indian Arms Rules, 1924, a **licence can be renewed**, not only by the authority who granted it, but also by any **other authority** empowered to grant a licence of the description in question, and in cases of Forms, XVI, by the Sub-Divisional officers. In these cases the authority renewing a licence may do so after such enquiry as it may consider necessary or on mere production of the licence and shall notify the renewal to the authority who issued the licence and to the last renewing authority. [Res. no. 1719, dated the 3rd May, 1924.]

63. When a **licence has been cancelled** by a licensing officer or District Magistrate, under section 18 (a) of the Act, or when the grant or renewal of a licence has been **refused for reasons to be recorded**, by the licensing authority, the licensee or applicant may apply for a **revision of the order**. All such applications shall be made within thirty days of the date of the order in question. If the licensing authority is subordinate to the District Magistrate, the appeal lies to the District Magistrate: in other cases the appeal lies to the Commissioner. [Res. no. 1719, dated the 3rd May, 1924].

64. Every licensing authority shall keep a **register of the licences granted** by him under rule 28 of the Indian Arms Rules to manufacture, convert, sell or keep for sale arms, ammunition and military stores. Such register shall be in Form E in Appendix I. A copy of this register shall be furnished by the licensing authority to the Superintendent of Police. A register in English shall be maintained in the licensing authority's office giving the name of each licensee under the two heads of (a) head-quarters shops, and (b) outlying shops, and quoting the date of **inspection in each year** by (1) the Magistrate or his Assistant, and (2) the Superintendent of Police, his Assistant or Deputy Superintendent of Police. The Commissioner, when on tour, shall examine and initial the register and see that the standing order on the subject are complied with. [G.O. no. 824, dated the 29th March, 1904.]

The Superintendent of Police will furnish to each officer in charge of a police station an extract, columns 1 to 7, giving the names of the persons living within his jurisdiction **who hold licences**; and each Circle Inspector shall receive from the Superintendent of Police an extract giving the names of all persons living in his circle who hold licences. Every Inspector, when **making the inspection** directed in rule 80, shall enter in his copy of the register, in column 8, the date on which he made the **inspection**. If the inspection disclose no irregularity or breach of the rules, no report will be made, but if, at the inspection, any fact is brought to light which it is advisable that the licensing authority should know, the Inspector shall send a special report to him, through the Superintendent of Police, noting in the column of remarks in his register the date on which the report was sent. Every subordinate Magistrate, Superintendent of Police, Assistant Superintendent and Deputy Superintendent of Police **making an inspection**, as directed in rule 80, shall send to the licensing



authority a report of the result of his inspection for incorporation in the register. At the close of the calendar year the Circle Inspectors shall send their registers to the Superintendent of Police for transmission to the licensing authority, who will enter in his register, the facts recorded by the Inspectors opposite to the name of each licence. [Rule on page 74 of U. P. Arms Rules, 1909, modified.] [G. O. no. 3386 dated the 16th November 1907].

65. A register in Form F, (in Appendix I,) shall be kept by the licensing authority of all licences to **sell and keep for sale** arms and ammunition and the same rules shall, *mutatis mutandis*, be observed with regard to this register as are laid down in rule 62 for the register in Form E, Appendix I. [Rule on page 74 of U. P. Arms Rules, 1909, modified.]

66. Separate registers in Forms G, H., and J, in Appendix I, shall be kept by licensing authorities of the licences granted under rules 33, 35 and 36, respectively, of the Indian Arms Rules. The Magistrate will supply a copy of each of these to the Superintendent of Police. The Superintendent will furnish to each officer in charge of a police station an extract giving the parts that concern his jurisdiction. [Rules on pages 74 and 75 of U. P. Arms Rules, 1909, amended.]

67. Under rule 46 (3) of the Arms Rules, the Governor in Council has **remitted all fees** payable in respect of the grant or renewal of any licence in form XVI by those persons mentioned in Schedule VII of the Arms Rules in respect of arms and ammunition entered in the second column of Schedule VII. [Notn. no. 780, dated the 16th May, 1924.]

NOTE.—The following Government servants have been exempted by the local Government from payment of fees for licences in Form XVI in respect of all arms under clause (7) of Schedule VII, namely :—

(i) Justice of the Peace. (ii) Stipendiary Magistrates. (iii) All gazetted police officers. (iv) All excise inspectors in respect of a revolver or a pistol, (v) (a) All gazetted forest officers, (b) All forest rangers, in respect of one '12 bore gun each (vi) All gazetted officers of the Indian Service of Engineers and the United Provinces Engineering Service in the Irrigation branch and all canal deputy magistrates. [(vii) All patwaris employed in the hill portion of the Kumaon division in respect of one shot-gun. (G. O. no. 6507 dated 1st November 1924, no. 1719 dated 20th March 1925, no. 2488 dated 4th July 1925, G. O. no. 1149 dated the 18th Feb. 1927, resn. no. 1719 dated the 3rd May, 1924 and G. O. no. 6343 dated the 15th October 1930).]

68. Under rule 46 of the Arms Rules, the Government of India have directed that **no fee** shall be charged :—

(a) in respect of the renewal of a licence granted in Form VI under rule 17 of the Arms Rules for the export to a State in India of arms, ammunition or military stores, in cases where the application for renewal is made before the expiry of the period for which the licence was granted and cause is shown to the satisfaction of the licensing authority why the licence could not be utilised within that period.

(b) in respect of the grant or renewal of a licence in Form VI for the export to a State in India of ammunition required for the use of a public railway or other public work. [H. D. no. 3 and 810, dated the 1st Jan. and 6th May, 1920, respectively].

69. **Remission of fees for licences to re-import.**—*Vide* note (2) to Rule 46 (page 113 based on H. D. no. 808 dated the 6th May 1920).

70. **Remission or reduction of fees payable under Schedule VII of the Court Fees Act 1924.** (Identical with Bengal Govt. Rule 29, page 221).

71. **Fees for breech loading revolvers and pistols**,—*vide* note (4) to Rule 46, page 114, based on H. D. no. 456 dated the 14th March, 1920.

72. For **three years' licences** the fee should be the sum of the renewal fees which would ordinarily be charged if the licences were renewed yearly. [Paragraph III of Form XVI, Schedule VIII, Indian Arms Rules, 1924.]

NOTE.—(1) In the case of breech-loading weapons one half of the prescribed initial fees are chargeable for renewal annually.

(ii) The proviso to paragraph II (ii) under the head "Fee" in Form XVI does not absolve the holder of a licence in that form who fails to renew the same prior to its expiration from the provisions of section 19 (f) of the Arms Act, if after expiration of the licence he remains in possession of the arms in respect of which the licence was granted. [H. D. no. P. 21-XIX-24 dated the 16th May 1924].

73. In cases other than those in rule 48, if **two or more people** are given a joint licence in respect of the same weapons, each must pay fees for them.

74. Where **cash payments** are made for licence fees such receipts should be credited to the head "XIX—Police—Cash receipts under the Arms Act." [G. O. no. 5337 dated the 30th Sept., 1924.]

75-76. Authority to detain arms and ammunition under section 6, of the Act, *Vide* note (7) on page 47, and to disarm under section 13, *Vide* note (1) on page 49.

77. Officers employed under Government are required to exercise the utmost **caution to ensure that arms being disposed of by them** do not fall into the hands of persons not **certified to possess them**. Officers wishing to dispose of arms by **private sale or public auction** must ascertain that the would-be purchaser is entitled by law to possess them. [G. O. no. 1751, dated the 1st June, 1900 and G. O. no. 1115 B., dated the 15th April, 1901.]

78. A Magistrate or police officer receiving notice of **sale of arms or ammunition** under the second clause of section 5 of the Act should at once verify the purchaser's name and address as given by the seller. The responsibility for taking out a licence rests with the purchaser. [Rule on page 72 of U. P. Arms Rules, 1909, modified].

78A. District Magistrates or Superintendents of Police shall report all **sales of ammunition** by licensed dealers in their districts to the authorities of the purchasers' districts whether in or outside the province, (Letter no. 251 dated the 23rd March 1926) and the latter shall retain these reports after verifying the purchases when necessary, (D. O. letter no. 251 dated the 23rd March 1926 and G. O. no. 7194 dated the 29th Oct. 1926.

79. The following rules shall be observed by Magistrates and police officers in connection with the **verification of sales of arms** by local dealers :—

(1) On receipt of a "report of sale" of arms, ammunition or military stores from a dealer, the facts mentioned therein shall be entered in columns 1 to 6 of the register in Form M, Appendix I.

(2) As regards column 7 of the register, verification of sales is obligatory in the case of—

(a) Rifles and their ammunition; (b) pistols, revolvers and their ammunition; (c) air pistols; (d) walking-stick rifles; and (e) all breech-loading guns.

In the case of other weapons and ammunition, also military stores, verification of sale is optional, but the District Magistrate shall pass orders as to whether the sale will be verified or not.

(3) If a sale is to be verified, the endorsement on the "report of sale" shall be filled in and despatched to the officer concerned (see the following rule), *without delay*.

(4) In the case of sales to persons residing in the United Provinces, the endorsement shall be addressed to the Magistrate of the district in which the purchaser resides. If the purchaser resides at a place outside the United Provinces, then the endorsement shall be addressed to the officer concerned as indicated in the list in Appendix K.

(5) If, in the case of weapons (not ammunition) of the kinds described in rule (2) above, the results of the verification prove satisfactory the "report of sale" shall then be sent to the Deputy-Inspector General of Police, Criminal Investigation Department, United Provinces, for information and record, the date on which it is sent being entered in column 11 of the register in Form M.

(6) If the results of the verification prove unsatisfactory, the District Magistrate will take steps to have the matter investigated without delay, and on the completion of the investigation shall take such further action as seems necessary.

(8) From the information furnished in the "reports of sales" received from District Magistrates (see rule 6 above), the Deputy Inspector-General of Police, Criminal Investigation Department, United Provinces, shall compile and maintain a provincial register which shall contain a full alphabetical list of the names of persons certified to be in possession of weapons of the kinds described in rule 2 above brought from dealers in the United Provinces, and a description of the weapons. [G. O. no. 2716, dated the 6th July, 1916.]

**80. The shop, premises and stock of every licensed vendor shall be inspected** once in every half year by a police officer not below the rank of Inspector. A similar inspection shall be made annually by the Magistrate of the district or a subordinate Magistrate in the month of March, and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police in the month of October, of all shops situated at the headquarters of Districts. In the case of outlying shops, an annual inspection shall be made by a Magistrate and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police at any time during the year. It should be arranged, however, if possible, that there should be an interval of a couple of months at least between the visits of the inspecting officers. The practice of sending for and examining the books kept up by the licensed vendors cannot be regarded as an inspection and is prohibited. Every officer making such inspection shall initial the stock and sale books of the licensee and at once report to the Magistrate of the district any irregularity or breach of rule which may have come to his notice. [G. O. nos. 3047 and 3650, dated the 14th and 12th Nov. 1893 and 1897, respectively, and no. 3386, dated the 16th Nov. 1907.]

In the case of **larger firms in towns inspection** should ordinarily be made oftener than twice a year, and police officers should specially examine the names of customers as entered in the registers and ascertain that they are really persons entitled to possess arms and ammunition. Inspecting officers should be careful to see that copies of the entries in the day book have been sent to the District Magistrate concerned, and District Magistrates receiving such copies should ascertain that a person claiming exemption from the provisions of the Arms Act is really exempt. [G. O. no. 93 dated the 16th Jan., 1903.]

Inspecting officers should see that column 8 "Date on which '**report of sale**' was sent to the District Magistrate" in the day books in **Forms C and D**, Appendix I, is duly filled in by the dealer. [G. O. no. 2716, dated the 6th July, 1916]

Rule 34 authorises the police to inspect the premises of vendors licensed in form D to sell fireworks; inspection in such cases is desirable, although not obligatory. (G. O. no. 932, dated the 5th May, 1926.)

81. (i) Weapons for which licences have been granted in Forms XVIII and XIX shall ordinarily be **inspected by a Magistrate while on tour**, or by the Tahsildar. The fact of the inspection shall be endorsed on the licence, and a report sent to the head-quarters to be entered in column 10 of the register in Form J, Appendix I, opposite the name of each licensee, year by year.

(ii) **Inspection**, if any, of weapons licensed in Form XVI should be made by the District Magistrate or Sub-Divisional Magistrate when on tour. Such inspection is in no case obligatory, and in the case of persons of approved character and status as detailed in rule 50 should be made only for special reason.

(iii) In all cases inspecting officers shall compare the weapon produced with the description of it entered in the licence. [G. O. no. 3047, dated the 14th Nov. 1893.]

82. The authorities empowered to grant or renew licenses are required to take action under rule 45 of the Indian Arms rules, 1924, and under the relevant conditions in forms XIV to XVI, XVIII and XIX, to verify the arms in the possession of licensees. Should a licensee be unable to **produce arms** held under a licence when called upon to do so he should be required to give an account of their disposal. Such cases should be dealt with by the Magistrate in person. Should the account not prove satisfactory the **renewal of the licences** either in whole or in part should be **refused**. Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 27 of the Act) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine or with both. (H. D. no. F-21-X1-25 dated July 5, 1927, and U. P., G. O. no. 5448 dated August 19, 1927.)

83. **Action to be taken when arms are stolen**,—*Vide* Note (4) to Rule 3, page 81.

84. **Searches**,—*Vide* notes (6) and (3) to sections 25 and 30 of the Act, pages 71 and 75.

85. **Disposal of arms deposited under section 16 of the Act**,—*Vide* page 180.

85A. Firearms in district Malkhanas which have been confiscated under section 24 or forfeited under section 16 (3) of the Arms Act should be periodically cleaned and oiled and the charge debited to district Magistrate's grant under "Contingencies" (G. O. no. 2714 of the 10th Sep. 1929.)

86. (1) to (3) **Disposal of forfeited ammunition** under section 24 of the Act,—*Vide* page 184.

86. (2) District Magistrates may sell serviceable confiscated weapons in nazarat malkhanas on commission through reliable firms of gunsmiths or commission agents provided that the firm or agent possesses a licence to sell arms and does not keep more arms than the licence permits. (G. O. no. 6343 dated the 15th Oct. 1930.)

87. **Rewards** under section 28 of the Act,—*Vide* page 186.

88. To facilitate the description of a weapon and its identification, the **system of stamping the arm with a number**, and a distinguishing letter or letters for each district has been generally adopted. With reference to this system the following instructions have been issued:—

(1) Both a number and a letter should be used. Unless a letter is added it would be impossible to trace arms imported from a district other than that in which they are found.

(2) The letter used must be a distinguishing one, e. g., it is not sufficient to use F for Fatehpur; in this case the letters F. P. would be the distinguishing ones.

(3) No number must be repeated and the series used should apply to licenses in all Forms XVI, XVIII, or XIX, unless the number of the Form (i. e., XVI or XVIII or XIX) is also stamped on weapons.

(4) The arms should be stamped with steel punches which can be obtained from Roorkee; they should not be branded, as this practice disfigures them unnecessarily.

(5) It is not necessary that the serial number of the licence should correspond with that of the weapon.

(6) It is unnecessary to enter in the licence a detailed description of the weapon if the number and letters are entered.

(7) It is unnecessary to mark weapons which already bear a distinguishing mark of some kind, e. g., the number and stamp of the vendor. [G. O. no. 2428, dated the 2nd Sept., 1895.]

89. **Confiscation of arms.**—*Vide* page 184.

90. As a rule, **offences cognizable under the Act**, which were due to ignorance or carelessness, would be sufficiently punished by a fine; and imprisonment should not be awarded unless from the character of the offender or on any other ground it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should scrutinise the proceedings of their subordinates attentively, should take pains to see that the law is not worked harshly, and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated. [G. O. no. 1328, dated the 28th July, 1885.]

91. With a view to enable District Magistrates to scrutinise the working of the Arms Act in their districts, the following **form showing the punishments**, etc., inflicted for breaches of the provisions of the Act, should be prepared at the close of every month and scrutinised by them. Commissioners of divisions have the option of calling for this monthly statement from any district:—

**Return showing the punishments inflicted for breaches of the Arms Act.**

District.	Names of persons punished.	Section and clause of Act under which punished.	Punishment awarded.	Remarks by Magistrate.

[G. O. no. 2920, dated the 10th July, 1914.]

**92. The exact procedure which should be adopted in searching for arms is as follows:—**

(i) All parts of the United Provinces except that portion of the Mirzapur district lying to the south of the Sone have been disarmed. Consequently any one not coming under any exemptions, who has in his possession or under his control arms of any description, ammunition or military stores, except under a licence and in the manner and to the extent permitted thereby, is punishable under section 19 (f), Act XI of 1878, with imprisonment for a term which may extend to three years, or with fine, or with both. As this offence is one cognizable by the police (*vide* Schedule II of the Criminal Procedure Code), an officer in charge of a police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of office for the purpose (*vide* rule 84(b), note (3) to section 30 to page 75).

(ii) Mere speculative searches are not authorised by the law.\* Before taking action the police officer must have reason to suspect the commission of the offence and the Magistrate must either know or suspect that the offence has been committed, or must receive a complaint or police reports of facts which constitute the offence.

(iii) In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act will not apply. Section 25 would cover the case of a person even lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger to the public peace. It appears to "refer to cases in which the Magistrate considers that arms, whether under a licence or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace" (*vide* ruling in case of *Queen-Empress vs. Tegha Singh*, I. L. R., 8, Calcutta, page 473—(referred to in note (43) on page 61). If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded as prescribed by the provisions of the section. [G. O. no. 2285, dated the 3rd August 1893.]

**93. The High Court at Allahabad and the Judicial Commissioner, Oudh, have prescribed the rule given below regarding the sale by public auction of guns or other arms in execution of decrees. On receiving such an intimation from a Civil Court as is ordered in the rule, Magistrates should take action so as to ensure that the requirements of the Indian Arms Act and Rules thereunder are not contravened:—**

Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act, XI of 1878, are sold by public auction in execution of decrees, the court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act. [G. O. no. 77 dated the 9th January, 1901.]

**94. The following rules are laid down for the treatment of records relating to arms licences:—**

(1) All applications for licences, whether granted or refused, shall be retained for five years from the date of the expiry of the licence, whether annual, biennial or triennial, or from the date of refusal, as the case may be. All applicants for licences should state in their applications whether they have applied for a licence previously, and if so, with what result. [G. O. no. 1689, dated May 26, 1928.]

(2) Papers regarding the deposit of arms in police stations under the provisions of section 16 of the Act shall be kept for five years from the date of the order of deposit, except that in cases where the deposit has been made by a guardian on behalf of a minor, the papers shall be retained for a period of five years from the date of the minor attaining majority.

(3) Papers regarding the cancelling or suspension of licences (section 18 of the Act) shall be kept for five years, unless there is any special reason for their retention for a longer period. [G. O. no. 1689 dated May 26, 1928.]

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases, and dealt with as such under the rules of the High Court or Judicial Commissioner, or of the Police Department. [G. O. no. 1718 dated the 15th Dec., 1884.]

95. (i) Magistrates should prepare, at the close of **each calendar year**, and submit to the Commissioner, **a report on the working of the Act** during the year. This report should notice briefly the results of the various inspections prescribed by rule, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licences granted; and generally any facts of importance connected with the working of this Act. Forms K and L in Appendix I, should be filled in and submitted with the report.

The following information should also be furnished :—

1. Number of exempted firearms; 2. cases of loss of firearms; 3. crimes of violence in which firearms were used, 4. prosecutions in respect of firearms, and

should be accompanied by a brief survey of the position which these statistics and those relating to licensed firearms disclose. Reference should be made in particular to the extent to which firearms have been employed in the commission of crime, including riots or unlawful assemblies, and in the exercise of the right of private defence. (G. Os. nos. 3245, 4485, and 7391, dated the 25th June 1925, 7th August 1925 and 18th November 1927.)

District Magistrates should also in their reports deal with the illicit possession of arms and ammunition in their districts and should report as required in para. 3 of letter No. 251 dated March 23, 1926. (G. O. no. 3245 dated the 25 June 1925, No. 4485-204 dated 7th August 1925, D. O. no. 251 dated 23rd March 1926).

District Magistrates should also mention in their reports any new cases in which they (or the subdivisional officers who are authorised to grant arms licences) order the barrels of guns allowed to agriculturists in form No. XIX to be shortened, and the commissioners should mention these cases in their divisional report. (D. O. no. 452P dated 9th June 1926).

(ii) It is the Commissioner's duty to review the district reports of his division, and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with necessary statements, and submit to Government by the first of March. If any of the required informations is wanting, the Commissioner should call for it before submitting his report. Commissioners should mention in their reports the action taken against licensees and exemptees for loss of

their fire-arms. [G. Os. no. 123, dated the 5th Sept., 1879; no. 256-A, dated the 3rd Oct. 1880; No. 997, dated the 17th July, 1881; no. 3082, dated the 10th Dec., 1892 and G. O. no. 2237, dated the 25th July 1929.]

96. District Magistrates should forward, in duplicate, direct to the Government, by March 15 at the latest each year, an annual return, in the form in appendix M., of licensed and exempted fire-arms in the possession of and ammunition *purchased* by residents of their districts during the previous calendar year, as well as a brief report on the quantity of arms and ammunition believed to be held illicitly in their districts. Particular attention should be paid to the following points:—

(i) The figures of licensed and exempted firearms in the possession of the public should be combined; (ii) in the case of muzzle-loading rifles and pistols, if the bore cannot be given, only the number of weapons need be shown; and (iii) ammunition for muzzle-loading guns should not be shown.

97. District Magistrates or Superintendents of Police shall report all sales of arms and ammunition in their districts to the authorities of the purchasers' district whether in or outside their province. The procedure followed in different provinces for reporting such sales is as under:—

Province.	Province of authority responsible for report.	Authority to whom report is made. a
Central Provinces ... ..	Dealer ... ..	} Magistrate of district in which purchaser resides.
Bombay ... ..	Do. ... ..	
Delhi ... ..	Do. ... ..	
N. W. Frontier Province ... ..	Do. ... ..	
Bihar and Orissa ... ..	Do. ... ..	
Madras ... ..	District Magistrate ... ..	
Punjab ... ..	Superintendent of Police ... ..	
Assam ... ..	Do. ... ..	

In the case of Bengal, the Commissioner of Police, Calcutta, will send to the Inspector-General of Police, United Provinces, a consolidated statement of all purchases of arms and ammunition made by residents of this province in Calcutta, and in the case of purchases in Bengal, outside Calcutta, the Superintendents of Police concerned will send reports to the Inspector General of Police. The Inspector General in each case will send extracts to the District Magistrate concerned in this province. (D. O. letters nos. 845 P. and 60 P. dated the 26th July 1927 and 9th March 1928, and nos. 1484-P. and 6-P., dated the 1st Nov. 1927, and 13th Jan. 1928.)



APPENDIX A.—[Rule 8—*Vide* Notes (17) and (19) to Schedule I on page 127].

List of persons specially exempted in the United Provinces under clause (6) (g), Schedule I of the Indian Arms Rules. (NOTE.—The arrangement of the Form has been changed for the sake of convenience).

Division.	District.	Name, description of arms and no. and date of notns.
Meerut ...	1. Dehra Dun	(1) Tegh Bahadur Singh—7 rifles,—3 guns and 1 pistol. (G. O. no. 1844 dated the 26th June 1896.) (2) Mahant Lachman Das.—2 guns,—1 revolver. (G. O. no. 1453, dated the 21st May 1903).
	2. Saharanpur	(1) Kazi Zafar Ahmad Khan.—1 gun,—1 revolver. (G. O. No. 2200, dated the 16th July 1909).
	3. Muzaffar-nagar ...	(1) Khan Bahadur Nawab Muhammad Umar Daraz Ali Khan.—30 rifles.—10 revolvers and pistols,—20 guns for retainers in attendance or on duty in the ilaqa (G. O. no. 1293 dated the 11th June 1889).
	4. Meerut	(1) Khawaja Ghulam Nasiruddin Khan.—1 gun,—1 rifle and 1 revolver. (G. O. no. 1727, dated the 21st August 1886.)
	5. Bulandshahr	<i>Nil.</i>
Agra ...	1. Aligarh ...	(1) Mahammad Habib-ur-Rahman.—1 double barrel breech-loading .450 bore rifle, no. 3546, by Holland and Holland, 98, New Bond Street, London.—1 double barrel breech-loading .500 bore rifle, no. 1001, by L. Hollis and Sons.—1 double barrel breech-loading .27 bore rifle, Metford patent 167, no. B. 295, George Gibbs, 29, Corn Street, Brest.—1 single barrel .324 bore rifle, no. 1894, Winchester Repeating Arms Company, New Haven Co. U. S. A.—1 double barrel breech-loading .12 bore gun no. 5448 by Thomas Turner, Brook Street Bond, London.—1 double barrel breech-loading .12 bore gun no. 54699, Woobard Place, London.—1 single-barrel breech-loading .8 bore gun, no. 15129, Army and Navy, C. S. L., London.—1 double-barrel .12 bore gun, no. 6954, by Watson Brothers, Old Bond. S. W. London. 1 muzzle-loading .450 bore pistol, no. 173291, five chambered, by Whistler Strand, London.—1 six chambered, .455/476 bore pistol, No. 76211, by B. Webley and Sons, London and Birmingham.—1 central fire single barrel breech-loading Colt .450 bore pistol no. 41,—1 central fire single barrel five chambered pistol by N. T. Daib, Calcutta. (G. O. no. 2874 dated the 14th Sep. 1905.) (2) Muhammad Khalil-ur-Rahman.—1 breech-loading .12 bore gun by Manton & Co, Calcutta—1 double barrel muzzle-loading .12 bore gun by Westley Richards, London.—1 double barrel breech-loading .16 bore gun by Cogswell and Harrison, London.—1 double barrel breech-loading .28 bore gun by X Co.—1 five chambered muzzle-loading pistol by Robert Arms, London.—1 five chambered breech-loading Young American double action pistol by Arms Company, Worcester, U. S. A.—1 pistol. (G. O. no. 3032, dated the 14th Oct. 1907).

Division,	District.	Name, description of arms and no. and date of notes.
Agra	1 Aligarh ..	<p>(3) Thakur Matmatangdhvaj Prasad Singh of Biswan.—1 breech-loading '12 bore gun, no. 15471 by R.B. Rodda &amp; Co.—1 muzzle-loading '12 bore gun, no. 8832, by Manton &amp; Co. Delhi.—1 '401 bore rifle, no. 15155, by R. B. Rodda &amp; Co., Calcutta.—1 '470 bore rifle, no. 80162, by D. Swiss &amp; Co., Calcutta. 1 single barrel country made muzzle-loading gun. (G. O. no. 3680, dated the 2nd Nov. 1912.)</p> <p>(4) Thakur Kharag Singh of Biswa.—1 double barrel '16 bore rifle, no. 14289. 1 double barrel muzzle-loading '12 bore gun no. 1949.—1 double barrel breech-loading '20 bore gun, no. 3049.—1 single barrel breech-loading '12 bore gun, no. 125850. (G. O. no. 5996, dated the 26th Nov. 1914; and 2738, dated the 30th June 1915).</p> <p>(5) M. Muhammad Nurul Hasan Khan, retired Deputy Collector.—1 double barrel breech-loading '375 bore rifle, no. 45905 by Cogswell and Harrison.—1 single barrel breech-loading '50/95 bore rifle, no. 1876, by New Haven, C. T.—1 single barrel muzzle-loading rifle, no. 8766, by Samuel Knox.—1 single barrel breech-loading '22 bore gun, no. 281 by H. M. Quackenbush Herkemar, New York, U. S. A.—1 single barrel breech-loading '22 bore gun by H. M. Quackenbush Herkemar, New York U. S. A.—1 single barrel breech-loading gun by J. A. &amp; Co.—1 double barrel breech-loading '12 bore gun, No. 2756, by J. F. Rodgers.—1 double barrel breech-loading '28 bore gun, no. 40885, by I. Hollis &amp; Sons.—1 single barrel muzzle-loading '12 bore gun, no. 3576, by Smith &amp; Co.—1 single barrel muzzle-loading '12 bore gun, no. 52 by Tart Hames.—1 single barrel muzzle-loading '30 bore (old useless) gun by R. B. Rodda &amp; Co.—1 single barrel breech-loading pistol no. 41 by Colt (G. O. no. 1727, dated the 21st Aug. 1886.)</p>
	2. Muttra ...	<p>(1) Kunwar Itmad Ali Khan, <i>raia</i> of Sadabad.—1 rifle, no. 2099, manufactured by J. Venables &amp; Sons. 1 gun, no. 308, by F. W. W. Greener, London.—1 gun, no. 119133 by Lyon and Lyon, London and Calcutta.—1 gun by H. M. Quackenbush, Herkemar, New York, U. S. A. (G. O. 1293, dated the 11th June, 1889.)</p> <p>(2) M. Sakhawat Ali.—1 rifle (35 W. C. F.), no. 44173, Winchester Repeating Arms Company, New Haven Co., U. S. A.—1 double barrel breech-loading gun, no. 1094. Worn out—(G. O. no. 2621 dated the 25th Sept. 1911.)</p>
	3. Agra ...	<i>Nil.</i>

Division.	District.	Name, description of arms and no. and date of notns.
Agra ...	4. Mainpuri	(1) Chaudhri Maharaj Singh of Bharul—1 single barrel muzzle-loading 12 bore gun no. 12578, by R. B. Rodda & Co., Calcutta.—1 pistol no. 57715, by Wbley and Scott, Ltd., London.—1 single barrel breech-loading 404 bore rifle. no. 7560, by Daffin Fabick Mauser Oberndorf A/M.—1 double barrel breech-loading 8 bore gun, no. 2092, by G. G. Edwards & Sons.—1 single barrel breech-loading 32/40 bore gun no. 83909, by Lyon and Lyon. Calcutta. (G. O. nos. 540 and 544, dated the 7th Feb. 1916 and 1920, respectively.)
	5. Etah ...	(1) Kalawati Kunwar, Rani of Awagarh, —Nil. (G. O. no. 3448 dated the 2nd Oct. 1912.)
	"	(2) Thakur Malkan Singh of Sarauth.—2 single barrel muzzle-loading guns.—1 revolver. (G. O. no. 3448 dated the 2nd Oct. 1912.)
	"	(3) Laik Singh of Pithanpur.—1 double barrel breech-loading gun, no. 18822-1, by Hall and Sons, London.—2 single barrel muzzle-loading guns. nos. 1687 and 1686, country made.—1 single barrel muzzle-loading pistol, no. 1640, country made,—(G. O. no. 2183, dated the 8th Dec. 1885.)
Rohil-khand ...	"	(4) Thakur Jai Gopal Singh—1 "Improved Paragon" double barrel breech-loading 12 bore gun,—1 American pattern revolver, 38 bore.—1 rifle, Ferren & Co., Patent no. 70133.—1 American pattern revolver, 38 bore. (G. O. no. 2479, dated the 8th July, 1912.)
	1. Bareilly ...	(1) Babu Chandika Prasad Misr.—1 double barrel breech-loading smooth bore gun.—1 single barrel muzzle-loading gun.—1 muzzle-loading carbine.—1 revolver. six chambered, central fire. (G. O. no. 1242, dated the 14th April, 1910.)
	2. Bijnor ...	(1) Kunwar Vishva Nath Rikh—3 rifles, 2 shot guns, 1 revolver. (G. O. no. 3946, dated the 11th Dec. 1901.)
	"	(2) Kunwar Jaswant Rikh.—3 rifles, 2 shot guns. 1 revolver (G. O. No. 3946, dated the 11th Dec. 1901.)
	"	(3) Jang. Bahadur Khan.—1 single barrel muzzle-loading gun. (G. O. nos. 2312, dated the 17th July, 1906 and 4290, dated the 12th Aug. 1920.)
Budaun ...	3. Budaun ...	(4) Kunwar Bharat Singh.—2 double barrel rifles,—2 single barrel rifles, 3 double barrel guns, 1 revolver, 1 Mauser pistol, 1 walking-stick gun. (G. O. no. 1363, dated the 14th May, 1907.)
	4. Shahjahanpur ...	Nil.
		(1) Kunwar Balwant Singh of Seramau. North, guns. (G. O. no. 2151, dated the 4th July, 1902)

Division.	District.	Name, description of arms and no. and date of notns.
Rohilkhand	5. Pilibhit ...	(1) Shaikh Nazir Ahmad of Dang.—2 guns.—1 revolver. (G. O. no. 1417, dated the 1st June, 1904, and 956, dated the 18th Apl. 1922.)  (2) Chaudhri Munna Singh of Madho Tanda.—2 guns.—1 pistol. (G. O. no. 1417, dated the 1st June, 1904, and 956 dated the 18th Apl. 1922.)
	1. Farrukhabad ...	<i>Nil.</i>
	2. Etawah ...	<i>Nil.</i>
Allahabad	3. Cawnpore	(1) Nawab Jafar Ali Khan of Gwaltoli.—1 double barrel breech-loading '450 bore rifle by George Roberts.—1 double barrel muzzle-loading '14 bore gun, No. 1922, by John Dickson.—1 double barrel muzzle-loading '15 bore gun, no. 6723, by Samuel Smith & Co., London.—1 double barrel muzzle-loading '18 bore gun 1 no. 4739, by Samuel Smith & Co., London.—1 double barrel muzzle-loading '15 bore gun, no. 6703, by Samuel Smith & Co., London.—1 pistol, no. 7675, by Charles Lancaster, London.—1 single barrel Martini pattern rifle, no. 10425, by Jackerr. (G. O. no. 101, dated the 17th Jan. 1883.)
	4. Fatehpur ...	(1) Chaudhri Mahmud Yar.—1 single barrel muzzle-loading gun.—1 double barrel breech-loading gun, no. 2788, by J. O. Mayne, London. (G. O. no. 1492 dated the 27th Aug. 1883.)  (2) Lala Ishur Sahai.—1 double barrel breech-loading '12 bore gun, No. 64759, by R. B. Rodda & Co., Calcutta.—1 double barrel muzzle-loading '12 bore gun no. 52, by Clabrough and Johnson.—1 single barrel muzzle-loading gun, country made.—1 Sherwood rifle '300 bore, special cartridge, no. 4467, by Westley Richards.—1 Savage Winchester '22 bore rifle by Lyon and Lyon, Calcutta.—1 '455 bore revolver, No. 905, six chambered by R. B. Rodda & Co. (G. O. no. 1453, dated the 21st May, 1903.)
	5. Allahabad...	(1) Chaudhri Mahadeo Prasad of Allahabad.—1 Webley revolver, 1'455 C. F. (new model), no. 31272, by R. B. Rodda & Co., Calcutta.—1 single barrel breech-loading gun, no. 250094, by Harrington and Richards Arms Company, Worcester, Mass., U. S. A., pattern 27th Feb. 1900, no. 12 G. C. Choke.—1 double-barrel breech-loading '12 bore gun, 11149, by Adam & Co., London, brought from Luscombe Co., Calcutta.—1 single barrel muzzle-loading gun, no. X. C. O. 1604, brought from Biswas & Co., Calcutta. (G. O. no. 1727, dated the 21st Aug. 1886.)
Jhansi	1. Jhansi ...	(1) Bhan Partab Singh of Naipan.—6 guns and 1 revolver. (G. O. no. 1492, dated the 27th Aug. 1883.)  (2) Diwan Randhir Singh of Kairokhar.—4 guns and 1 pistol. (G. O. no. 1492, dated the 27th Aug. 1883.)

Division.	District.	Name, description of arms and no. and date of notns.
Jhansi ...		(3) Rao Khuman Singh of Kakarbai, Ubaridar.—9 guns. (G. O. no. 1093, dated the 22nd March 1905).
		(4) Thakur Bhawani Singh of Kakarbai.—2 Guns. (G. O. no. 534, dated the 20th Feb. 1906).
		(5) Rao Debi Singh of Rajwara, Lalitpur.—1 double barrel muzzle-loading '20 bore gun, no. 750. (G. O. no. 2771, dated the 7th Aug. 1912).
		(6) Rao Jawahar Singh of Panchampur.—1 double barrel muzzle-loading '20 bore cap gun, no. 933. (G. O. no. 2771, dated the 7th Aug. 1912.)
		(7) Kunwar Pahar Singh of Katera.—1 express '500 bore rifle, no. 2372, by Thomas Turner, Birmingham. 1 '350 bore Ross rifle. (G. O. no. 4616, dated the 20th Oct. 1915, notns. nos. 580, dated the 15th Oct. 1915 and 2717, dated the 8th Dec. 1921).
	2. Hamirpur	(1) Babu Partab Singh of Malehta.—1 double barrel breech-loading '12 bore gun, no. 7975,—1 double barrel muzzle-loading '12 bore gun, no. 31.—1 revolver, no. 173, by Iver Johnson Arms' Cycle Works, Fitzburg, Mass. U. S. A. (G. O. nos. 2947 and 4137, dated the 19th Aug. and 6th Dec. 1912 respectively).
	3. Banda ...	(1) Chaudhri Beni Prasad of Banda.—Nil. (G. O. no. 965, dated the 11th Aug. 1880.)
		(2) Beni Singh Mohar, Thakur of Mataundh.—2 revolvers, nos. 39385 and 36827.—1 double barrel breech-loading '12 bore gun.—1 double barrel muzzle-loading gun.—2 single barrel muzzle-loading guns.—1 single barrel match-lock. (G. O. no. 2453 dated the 24th Aug. 1891.)
Benares ...	1. Benares ...	(1) Mirza Akbar Bakht.—2 breech-loading or muzzle-loading rifles, 4 breech-loading or muzzle-loading guns, 1 breech-loading or muzzle-loading revolver. (G. O. no. 2798, dated the 6th Sep. 1905).
		(2) Babu Shyam Das.—2 guns. (G. O. no. 1647, dated the 7th June, 1907).
		(3) Rani Ram Kunwar, Ausanganj Estate.—34 Lahore made match locks,—7 broken barrels of the above type,—1 gold mounted presentation gun of the above type,—5 single barrel flint-locks,—1 double barrel flint-lock,—1 blunderbuss flint-locks,—1 single barrel muzzle-loader, percussion cap,—1 single barrel muzzle-loader, percussion cap (without stock).—3 double barrel muzzle-loaders percussion cap (without stocks).—3 double barrel muzzle-loaders percussion cap (without stocks) (not in good order).—1 breech-loading (Snider rifle) with bayonet,—1 Winchester Repeater,—1 double barrel breech-loading '12 bore gun,—1 double barrel breech-loading '12 bore rifle. (G. O. no. 1878 dated the 31st May, 1910.)

Division.	District.	Name, description of arms and no. and date of notns.
Benares ...		<i>Pistols.</i>
		2 brass pistols (flintlocks),—5 steel pistols (flintlocks),—1 brass pistol (percussion cap), 3 steel pistols (percussion cap),—1 revolver (percussion cap),—1 breech-loading pistol, very small bore (for practising),—1 old, rusty, toy pistol (cannot be used.) (G. O. No. 1878, dated the 31st May, 1910).
	2. Mirzapur ...	<i>Nil.</i>
	3. Jaunpur ...	Maulvi Muhammad Hosain of Machblishahr.—5 guns. (G. O. no. 3080, dated the 18th Oct. 1899.)
	4. Ballia ...	<i>Nil.</i>
Gorakhpur ...	5. Ghazipur ...	<i>Nil.</i>
	1. Basti ...	Har Narayan Pande of Jagdishpur.—1 revolver, 2 pistols, 12 guns, 2 rifles. (G. O. no. 965, dated the 11th Aug., 1860.)
	2. Azamgarh	Babu Ahmad Khan—2 guns. (G. O. no. 2588, dated the 9th Aug., 1906.)
Kumaon ...	1. Naini Tal ...	Kunwar Anand Singh.—1 rifle, 1 gun, 1 pistol (G. O. no. 1449, dated the 21st May, 1907, and no. 2465, dated the 4th—6th May, 1924.)
	2. Almora ...	Kuar Anand Singh.—1 double barrel breech-loading '12 bore gun, "Paradox" Royal,—1 Hammerless Ejector gun, no. 15815, by Holland and Holland, London,—1 Browning revolver, No. 108265, six shot. 25 Cal. (G. O. no. 1700, dated the 26th May, 1900.)
	3. Garhwal ...	(1) The Rawal of Badrinath.—5 Guns. (G. O. no. 1740, dated the 29th July, 1889). (2) The Rawal of Kedarnath.—2 Guns. (G. O. No. 1740, dated the 29th July, 1889). (3) The Mahant of Kamleshwer.— <i>Nil.</i> (G. O. no. 1740, dated the 29th July, 1889).
Lucknow ...	1. Lucknow ...	(1) Mirza Bakar Mirza Bahadur.—1 double barrel muzzle-loading rifle, no. 151, by Charles Lancaster,—1 double barrel muzzle-loading shot gun by Purdey,—1 double barrel muzzle-loading rifle.—1 double barrel breech-loading '16 bore shot gun, no. 12994, by R. B. Rodda & Co., Calcutta.—1 single barrel muzzle-loading rifle no. 4551 by Purdey.—1 single barrel muzzle-loading rifle no. 5532 by Smith,—1 double barrel pin-fire '577 bore rifle, no. 2376, by Thomas Jackson,—1 double barrel muzzle-loading '500 bore big pistol by D. Lovard,—1 six chambered breech-loading pin-fire revolver, no. 41,—1 seven chambered breech-loading revolver, no. 1, but lid cap. (G. O. no. 139 dated the 18th Jan., 1890).

Division.	District.	Name, description of arms and no. and date of notns.
Lucknow		(2) Muhammad Sham-sud-din Haider.— <i>Nil.</i> (G. O. no. 4C, dated the 1st Feb., 1896).
		(3) Muhammad Ali.— <i>Nil.</i> (G. O. no. 4C., dated the 1st Feb., 1896).
		(4) Saladat Husain Khan.—1 single barrel muzzle-loading gun.—1 single barrel muzzle-loading pistol. (G. O. no. 4C., dated the 1st Feb., 1896).
		(5) Saiyid Dilwar Raza.*—1 double barrel breech-loading gun.—2 single barrel breech-loading guns.—2 five chambered revolvers. (Notn. by Govt. of Bengal, dated the 23rd March, 1886. (G. O. no. 2896, dated the 6th Sep., 1901).
		(6) Babu Binode Chandra Ghosal.†—1 double barrel breech-loading 12 bore gun.—1 single barrel breech-loading 450 bore rifle.—1 Rook rifle.—1 six chambered 450 bore revolver. (G. O. no. 1844, dated the 20th June, 1896).
		(7) Muhammed Jafar Ali Khan.— <i>Nil.</i> (Govt. of India, Notn. no. 518, dated the 6th March, 1879).
		(8) Mirza Tymoor Jah.—1 double barrel breech-loading 12 bore gun, no. 18963, manufactured in London.—1 double barrel breech-loading 28 bore gun, no. 1009.—1 six chambered revolver, no. 7143.—1 American six chambered revolver, no. 41144.—1 small single barrel pistol.—1 Rampuri stick consisting of a muzzle-loading pistol.—1 small double barrel pistol, no. 41.—(G. O. no. 3690, dated the 31st Aug. 1914, and notn no. 3143, dated the 6th July, 1918.
	2. Unao 3. Rai Bareli 4. Sitapur 5. Hardoi 6. Kheri.	<i>Nil.</i>
	1. Gonda 2. Bahraich 3. Sultanpur 4. Bara Banki 5. Fyzabad 6. Partabgarh.	<i>Nil.</i>
Fyzabad ...		

\*Now resides at Kishunganj in district Purneah, [Bihar and Orissa.]

†His name is transferred from the Bahraich district (Vide G. O. no. 2994, dated the 25th Sep. 1905).

**APPENDIX B.**—List of persons of the Benares, Rampur and Tehri States and their retainers, who have been designated for exemption under clause 2 (b) and (c) of Schedule I to the Indian Arms Rules, 1924, and who may be granted licences under rules 17 and 39 (1) of the Arms Rules, without the previous consent of the Political Officers concerned.

### Benares.

1. The Maharanis	...	...	50 retainers each.
2. The Hon'ble the Maharaj Kumar and his wife	...	...	50 "
3. Babu Maheshwari Prasad Narain Singh	...	...	10 "
4. Babu Shatrughna Prasad Sahi	...	...	3 "
5. Hazari Krishna Chandra Shukul	...	...	10 "
6. Chaudhri Durga Prasad Singh	...	...	10 "
7. Chaudhri Bagheshwari Prasad Singh	...	...	10 "
8. Babu Ranchhor Singh	...	...	10 "
9. Hazari Suraj Prasad Shukul	...	...	10 "
10. Babu Ran Bahadur Singh	...	...	3 "
11. Lt. Muhammad Hassan Khan	...	...	3 retainers.
12. Khan Bahadur Saiyid Ahmad Hasan, Chief Secy.	...	...	3 "
13. The Chief Judge	...	...	3 "
14. The District and Sessions Judge, Bhadohi	...	...	3 "
15. The Collector, Bhadohi	...	...	3 "
16. The Collector, Chakia	...	...	3 "
17. The District Magistrate, Ramnagar	...	...	3 "
18. The Private Secretary	...	...	3 "
19. The Deputy Collector, Bhadohi	...	...	3 "
20. Captain Murl Singh	...	...	3 "
21. The Aides-de-Camp to His Highness the Maharaja	...	...	3 each.
22. The Superintendent of Police, Benares State	...	...	3 "
24. The Chief Medical Officer	...	...	2 "

### Rampur.

1. Her Highness the Begam Saheban	...	...	50 retainers each,
2. The Heir-Apparent	...	...	50 "
3. His Highness's two brothers	...	...	50 "
4. Sahebzada Sayed Qudrat Ali Khan Bahadur	...	...	10 "
5. Major General Sahebzada Ashaq Ali Khan Bahadur	...	...	10 "
6. Chief Minister	...	...	10 "
7. Revenue Minister	...	...	10 "
8. Army Minister	...	...	10 "
9. Judicial Minister	...	...	10 "
10. Home Minister	...	...	10 "
11. Financial Minister	...	...	10 "
12. Chief of the Staff.	...	...	10 "
13. Private Secretary	...	...	10 "
14. Military Secretary	...	...	10 "
15. Secy. Public Works Department	...	...	10 "
16. Political Secretary	...	...	10 "
17. Sardar Deorhi	...	...	10 "
18. Chief Justice, High Court	...	...	3 "
19. Judges of the High Court	...	...	3 "
20. District and Sessions Judge	...	...	3 "
21. Chief Medical officer	...	...	3 "
22. Comptroller of the Household	...	...	3 "
23. Chief Magistrate	...	...	3 "
24. Accountant General	...	...	3 "
25. Hakim Sadar	...	...	3 "
26. Sub-Judge	...	...	3 "
27. Judge Small Cause Court	...	...	3 "
28. Superintendent of Police	...	...	3 "
29. Mir Munshi Dar-ul-Insha	...	...	3 "
30. Mir Munshi, Ijlas Humayun	...	...	3 "



31. Superintendent of Excise	...	...	3	retainers
32. Dewan Sadar (Treasury Officer)	...	...	3	"
33. Executive Engineer, Public Works Dept.	...	...	3	"
34. Executive Engineer, Canals	...	...	3	"
35. Electric Engineer	...	...	3	"
36. Director of Education	...	...	3	"
37. Magistrates and Munsifs of Huzur Shahabad, Milak, Suar, Bilaspur and Tanda Tahsils	...	...	3	., each.
38. Members of the Board of Audit	...	...	3	" "
39. Bakshi (Paymaster)	...	...	3	" "
40. Commanding Officers of the Rampur 1st Infy., 2nd Infy., Rampur Lancers, Artillery, Palace Guards and Gurkhas	...	...	3	" "
41. Brigade Major	...	...	3	"
42. Aides-de-Camp to His Highness the Nawab	...	...	3	"
43. All Commissioned Officers of the Rampur Forces when passing through British India on duty	...	...	3	., .,

### Tehri.

1. Kunwar Bichitra Shah	...	...	4	retainers
2. Thakur Hari Singh, Aides-de-Camp to H. H. the Raja	...	...	2	"
3. The Officer Commanding, Armed Police, Tehri	...	...	2	"
4. The Home Member, State Council	...	...	2	"
5. The Forest Magistrate	...	...	2	"
6. The Home Secretary	...	...	1	retainer.
7. The Chief Judges	...	...	1	., each

**Appendix C.**—Rules for the Export, Import and Transport of Arms, Ammunition and Military Stores on Railways passing through Indian States.

**Whereas** the Rulers or Administrators of the States mentioned in the second column of the Schedule hereto annexed have ceded to the British Government full jurisdiction within the lands which lie within their respective territories, and are occupied or may be hereafter occupied, by the railways mentioned opposite their names, respectively, in the first column of the said Schedule (including the lands occupied by stations and out-buildings and for other railways purpose): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the following rules shall be in force on the said lands: [For. Dept. no. 3573-I, dated the 29th Oct. 1895.]

I.—In these rules “arms” “ammunition” and “military stores” have, respectively, the meanings assigned to them in the Indian Arms Act (XI of 1878), except that the expression “military stores” includes sulphur when in quantities exceeding 10 seers in weight, and leaden bird-shot and bullets when possessed in quantities exceeding one hundred-weight at any one time.

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands.

"Transport" means transmission by rail from one station in the said lands to another station in the said lands.

*Explanation.*—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules. [For. Dept. no. 2143-B., dated the 5th Aug. 1898.]

II.—(a) The export, without the special permission of the Political Agent, of arms, ammunition or military stores, is forbidden.

(b) Station masters to whom arms, ammunition or military stores, unaccompanied by evidence of such special permission are tendered for despatch shall detain them and report the matter, through the Superintendent of Railway Police, for the orders of the Political Agent.

III.—When any arms, ammunition or military stores are imported they shall not be delivered to any importer or consignee unless—

(a) the importer or consignee produces the original licence issued by the Secretary to the Government of India, Foreign Department, or other competent authority, authorising the export of such arms, ammunition or military stores from British India and their import to some station within the lands above referred to, and

(b) the senior police officer at the station at which the arms, ammunition or military stores have been received has compared the consignment with the licence and authorised the station master to make delivery.

For the purpose of making the comparison required by clause (b) the police officer shall have power to open any package which he thinks suspicious.

IV.—Every station master shall give information to the officer mentioned in clause (b) of the preceding rule of the arrival at his station of any consignment of imported arms, ammunition or military stores.

V.—A station master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

VI.—No licence shall be necessary in respect of arms or ammunition; but when any arms, ammunition or military stores are transported, immediate information regarding such transport shall be given to the senior police officer, if any, at the station of despatch and receipt by the station masters concerned.

VII.—Arms shall not in ordinary cases be taken from passengers; but if a station master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger,

he may at any time, before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms. If the passenger gives up his arms, they shall be labelled with the name and description of the owner entered in the roadway bill, and delivered free of charge to the owner at his journey's end :

Provided that no person who has been duly exempted from the operation of sections 13 to 16 of the Indian Arms Act (XI of 1878) or has a licence to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be asked to give up his personal arms under this rule.

VIII.—Every person employed upon the railway, shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest Police officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being committed.

IX.—(i) Whoever commits any of the following offences, namely,—

(a) exports any arms, ammunition or military stores without obtaining the special permission of Political Agent required by rule II,

(b) imports any arms, ammunition or military stores without a licence of the nature referred to in rule III,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(ii) Whoever commits any of the following offences, namely,—

(a) imports any arms, ammunition or military stores in excess of the quantities entered in the licence referred to in rule III,

(b) imports after the expiration of the period for which such licence has been granted,

(c) omits to give information as required by rule VIII,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

X.—When any person is convicted of an offence under the last preceding rule it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms, ammunition or military stores in respect of which the conviction is obtained, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

XI.—(1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In such cases notice calling upon the importer or consignee to appear and to produce the licence referred to in rule III shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such licence within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

XII.—The order of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

XIII.—(1) A Magistrate may award up to one half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person, whether in the employ of a railway company or not who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

XIV.—Nothing in the foregoing rules shall apply to the import of any arms, ammunition or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India, stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

*The Schedule.*

Railway.	State.
1	2
Bhopal-Ujjain Railway (Great Indian Peninsula Railway—Indian Midland Section.)	Indore, Gwalior, Bhopal, Dewas (Senior Branch). Dewas (Junior Branch.)
Godra-Rutlam Nagda Railway (Bombay, Baroda and Central India Railway.)	Indore, Jhabna, Rutlam, Sailana.
Bina-Godra-Baran Branch (Great Indian Peninsula Railway.)	Gwalior.
Great Indian Peninsula (Indian Midland) Railway—	
(1) Jhansi-Agra Section ... ..	Dholpur, Datia, Gwalior.
(2) Jhansi-Bhopal-Itarsi Section ... ..	Bhopal, Gwalior, Khanisadhana, Kurwai, Orchha.
(3) Jhansi-Cawnpore Section ... ..	Samthar.
(4) Jhansi-Manikpur Section. ... ..	Alipura, Garrauli, Orchha, Pahra, Taraon.

Railway.	State.
1	2
Bombay, Baroda and Central India (Rajputana-Malwa) Railway—	
(1) Cawnpore-Achnera State Railway ...	Bhartpur.
(2) Holkar State Railway (North of Nerbudda.)	Indore.
(3) Neemuch-Nusseerabad State Railway.	Gwalior, Mewar, Tonk.
(4) Rajputana State Railway ...	Bhartpur, Jeypur, Kishengarh, Ulwar.
(5) Sindhia-Neemuch State Railway ...	Dhar, Gwalior, Indore, Jaora, Rutlam, Sailana.
(6) Western Rajputana State Railway ...	Baroda, Jodhpur, Palanpur, Sirohi.

\*APPENDIX D.—APPENDIX III TO THE ARMY REGULATIONS, INDIA,  
VOLUME II.

**Rules relating to the possession of private arms by Indian Officers,  
British and Indian other ranks.**

1. **General provisions.**—The Indian Arms Act provides that any person disposing of arms, which he possesses, for his own private use to any other person not entitled by law to possess the same, is liable to be punished with imprisonment for three years, or with fine, or with both.

If any person wishes to dispose of arms and ammunition either by private sale, public auction or otherwise, he will ascertain that the would-be purchaser is a person entitled by law to possess the same; and if such person's name does not appear in the official army or civil lists, he will apply to the Magistrate or Deputy Commissioner of the district, or to the local Political Officer, as the case may be, for permission for the transaction to take place. In the case of individual under the rank of officer the above procedure will be conducted through the Unit Commander.

2. **British soldiers.**—Firearms purchased by British soldiers will be inspected by the armourer sergeant or armament artificer, and passed by the Unit Commander. A register will be kept of all arms in which will be recorded description, sales or other disposals. Private arms supplied by Government for sporting purposes will

\* (1) Referred to in U. P. rules 44 and 45, page 259.

(2) Vide in this connection, notes (3) and (4) to rule 33, page 101, and rules relating to 'Passes and Licences for Soldiers and Reservists' in Bombay Local Rules and Orders, page 209.

be inspected monthly by the armourer sergeant or armament artificer.

† 3. **Indian officers.**—An Indian officer is allowed, after having obtained a licence, for which no fee will be charged to carry or possess, for his personal use, arms and ammunition to the extent and under the restrictions prescribed in Schedule I, Indian Arms Rules, 1924.

4. **Exemptions for certain retired Indian officers.**—A retired Indian officer in receipt of a pension, and who was exempt under the Indian Arms Rules, 1909, immediately before coming into force of the Indian Arms Rules, 1920, is exempt from the provisions of sections 13 to 16 of the Indian Arms Act, 1878.

5. **Swords of Indian officers.**—A pass is not required for the regimental swords of an Indian officer proceeding on leave or furlough, if permission to carry it is entered on his furlough certificate.

6. **Purchase of arms by Indian officers and other ranks.**—

An Indian officer or soldier shall not purchase arms or ammunition unless—

(i) he has been furnished by competent authority with a written permit specifying, in the case of arms, the period for which it is valid and, in the case of ammunition, the amount purchasable on the occasion of each individual purchase ;

(ii) the arms and ammunition are purchased from a person entitled under the Indian Arms Act, 1878 (XI of 1878) and Indian Arms Rules, 1924, to possess or sell arms or ammunition ;

(iii) the arms and ammunition so purchased by him and the arms and ammunition already possessed by him do not exceed the numbers and quantity authorised by these rules.

† 7. **Indian soldiers.**—An Indian soldier is allowed, after having obtained a licence for which no fee will be charged, to carry or possess, for his personal use, one gun or pistol, one sword, dagger or knife, twenty cartridges, or an equivalent quantity of powder, bullets or shot, and caps. The conditions are :—

(a) The soldier shall be of good character.

(b) The arms shall not be of a class superior to that of the arms in use in the Indian Army, not a rifle of .303 bore, nor a rifle of .450 bore imported subsequent to the 11th September, 1906 : and he may not possess ammunition which can be fired from a .303 rifle.

(c) The possession of arms and ammunition to which these rules apply will be immediately reported and their description entered in the private arms register maintained in the unit, extracts of which shall be sent with the man's documents when he is transferred.

(d) All arms will be kept in the armoury while the soldier is with his unit.

(e) The loss of arms or ammunition will be immediately reported.

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† NOTE to rules 3 and 7.—The expression "permanently resides" occurring in the proviso to the sub-rule (1) of rule 40 of the Indian Arms Rules, 1924, which applies to persons subject to the Indian Army Act, 1911, refers to the permanent home of an applicant for a licence and not to the place where he is for the time being residing (U. P., G. O., No. 6341-VIII-182 dated 14th Sept. 1926.) (Vide the first proviso and also the addition made to Rule 40 (1) of the Indian Arms Rules, page 109.)

(f) If he wishes to take his arms on furlough or leave, he will obtain a pass from his Unit Commander. This pass will be produced on return, together with the arms to which it relates. The Unit Commander will satisfy himself that the arms have not been changed; failure to produce the arms or pass will be punished by deprivation of a pass for one year, which should be communicated to the Magistrate or Political Officer concerned. If an absentee is found in possession of arms and ammunition not covered by a pass, he will be made over to the military authority for trial.

**8. Passes.**—Every pass shall be granted by the Unit Commander who shall not delegate his authority. The pass shall contain—

(a) a full description of arms, with a record of their distinctive marks, and ammunition authorised by the pass.

(b) the parentage, religion, class, tribe and home of the holder of the pass.

The Magistrate or Political Officer of the district in which the pass-holder intends to reside shall be furnished with a duplicate copy of the pass by the Unit Commander in the case of men proceeding on leave or furlough. When passes are cancelled or withdrawn the civil officer will be informed.

A pass shall not be granted to an Indian officer or soldier whose home is situated beyond the N. W. Frontier, unless he shall have obtained, from his clansmen in the unit, and deposited security to the full trans-frontier value for the return of any arm which it is proposed to take away. The Brigade Commander will decide what is the trans-frontier value of any arm.

**9. Disposal of arms near the Frontier.**—An Indian officer or soldier shall not, unless authorised by competent authority, give or otherwise transfer any rifle to which these rules apply, to any Indian whose home is situated near or beyond the N. W. Frontier.

**10. Forfeiture of security.**—When an arm, for which security has been deposited, and a pass granted, is not returned the security shall be forfeited and the clansmen of the defaulter shall, for a period not exceeding two years, be precluded from taking arms on furlough. These cases will be reported to the District Commander.

**11. Special licence for exporting arms outside British India.**—An Indian soldier at the time of his discharge, possessing a weapon requiring a licence, shall be warned, if his home is situated beyond the limits of British India, that he shall obtain, through his Unit Commander an export licence from the Foreign and Political Department, except in the case of a *kukri* of a Gurkha proceeding to Nepal.

No export licence will be granted to a trans-frontier tribesman, except for arms certified by his Unit Commander to have been brought from his home on enrolment.

**12. Pensioners and reservists.**—An Indian soldier before transfer to pension or reserve wishing to retain his private arms, subject to the extent specified in the first paragraph of this appendix, will fill in a form in triplicate and give full description of the arms in respect of which he desires exemption from payment of licence fees. The Unit Commander will endorse his recommendation on all three

forms and will give one copy to the soldier before he leaves the unit, one copy will be despatched to the civil officer concerned, the third copy will be kept in the unit for record.

**13. Application of pensioners and reservists for renewal of licence.**—An application by a pensioner or reservist for renewal of licence, free of licence fee, will be submitted to the civil authority through the Unit Commander.

**14. Offences committed by pensioners or reservists.**—Offences under the Arms Act and Rules, committed by pensioners and reservists, will be dealt with in the ordinary manner, by the civil authorities.

**15. Report of loss of arms by pensioners and reservists.**—Every soldier before transfer to the pension establishment or reserve, and every reservist before returning home after training, shall be warned by his Unit Commander that he must report the loss or theft of any arms covered by his licence, to the nearest police station as required by the conditions on the licence form.

**16. Passes not to be given to discharged soldiers or reservists.**—Soldiers and reservists on leaving the army cannot be granted arms passes and any such passes will be withdrawn from them.

**17. Sikh kirpan.**—All kirpans possessed or carried by Sikhs while serving in the army are exempt from the operation of the Indian Arms Act, 1878, and Indian Arms Rules, 1924, provided they conform to the measurements laid down, viz., maximum length of blade of 9 inches and a maximum width of  $1\frac{1}{2}$  inches.

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Serial number	Object desired by person requiring a licence.	LICENCES NECESSARY TO BE TAKEN OUT TO EFFECT THE OBJECT DESIRED.		REMARKS.
		Under the Explosives Act (IV of 1884.)	Under the Arms Act (XI of 1878.)	
1	2	3	4	5
1	Arms and ammunition—to go armed on a journey.	Not required, the ammunition being possessed in reasonable quantities for private use [vide rule 11 (3) of the Explosives Rules.]	Form XX.	
2	Arms and ammunition—to possess and to go armed	Not required, the ammunition not exceeding in amount the quantities named in rule 11 (3) of the Explosives Rules.	Form XVI.	
3	Arms and ammunition—to possess for the purpose of destroying wild animals.	Ditto Ditto ...	Forms XVIII and XIX.	
3A	Arms and ammunition—to possess and use for the purpose of target practice.	Ditto Ditto ...	Form XV.	
4	Arms (firearms), ammunition and military stores*—to possess in a district which has not been disarmed.	Ditto Ditto ...	Form XV.	If a person wishes to carry a firearm or other weapon in a district which has not been disarmed, a licence in Form XVI, XVIII or XIX is necessary. A licence under Form XV is necessary to enable a person to possess (without carrying) firearms. No licence is required to cover possession of other weapons.

\*Covers sulphur (in quantities above 10 seers), and in districts of the external land frontier, saltpetre and lead (cf. Schedule II, ante.)

4A	Arms and ammunition to possess, when deposited by owners for safe keeping.	Ditto Ditto ...	Form XIII.	
	Arms, ammunition and military stores*—to keep and sell.	Form B in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition)† class in quantities not exceeding at one time 200 lbs. of gunpowder and any quantity of explosive contained in ammunition; otherwise Form L in addition to Form F or J.	Form X or XII.	
	Arms, ammunition and military stores*—to manufacture, convert or sell or keep.	Form A‡ in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition)† class in quantities not exceeding at one time 200 lbs. of gunpowder and any quantity of explosive contained in ammunition.	Form IX or XI.	
	Arms, ammunition or military stores*—to transport.	Not required [vide rule II (2) (a) of the Explosives Rules].	Form VII, subject to the exemption in rule 22 (2) (b) of the Indian Arms Rules, 1924.	For rules regulating the transport of ammunition, the packing and mode of conveyance, see the Explosives Rules.
	Arms, ammunition or military stores*—to import by river or land.	Ditto Ditto ...	Form III.	Ditto Ditto.

\* Covers Sulphur (in quantities above 10 seers), and in districts on the external land frontier, saltpetre and lead (cf. Schedule II ante.)

† Safety cartridges, safety fuses for blasting, railway fog-signals, and percussion caps (cf. para 60 Explosives Rules.)

‡ In other cases licences for manufacture can only be granted by the Governor General in Council (vide rule 15 of the Explosives Rules.) See also the exemptions in rule 16 (e) and (f) and in rule 34.

Serial number.	Object desired by person requiring a licence.	LICENCES NECESSARY TO BE TAKEN OUT TO EFFECT THE OBJECT DESIRED.			REMARKS.
		Under the Explosives Act, (IV of 1884),		Under the Arms Act, (XI of 1878.)	
1	2	3		4	5
9	Arms, ammunition or military stores*—to cover export by river or land.	Ditto	Ditto ...	Form VI. ...	Can be granted only by the Secretary to the Govt of India. Foreign Department, or by, any other officer especially empowered under rule 17, in the case of export to an Indian State within the political control of the local Government; a Secretary to Govt., United Provinces of Agra and Oudh, has been so empowered and in certain cases the Governor's Agents, the District Magistrate of Meerut has been also empowered to grant such licences under certain conditions, Schedule VI.
9A	Arms, ammunition or military stores*—to import, transport and re-export.	Ditto	Ditto ...	Form VIII.	
10	Explosives, other than those of the 1st (gunpowder) class or of the 1st division of the 6th (ammunition)† class, or of the 7th (firework) class or of the 5th (fulminate) class—to possess in quantities not exceeding 60 lbs. at a time.	Form F.	... ..	Form F must be endorsed to have the effect of a licence in Form X excluding all provisions as to sale and as to arms and military stores.*	

\* Covers sulphur (in quantities above 10 seers), and in districts on the external land frontier, saltpetre and lead (cf. Schedule II ante.)

† Safety cartridges, safety fuzes for blasting, railway fog signals and percussion caps (See page 50 Explosives Rules.)

11	Explosives generally other than those of the 5th (fulminate) class to possess.	Form J	... ..	Form J must be endorsed to have the effect of a licence in Form X or XII excluding all provisions as to sale and as to arms and military stores.*	Ditto. Ditto. Magazine licences in Form J. are granted by the Commissioners of divisions. Licences for the possession of explosives of the 5th (fulminate) class can only be granted by the Governor General in Council.
12	Explosives of classes which are in quantities other than those referred to in serial Nos. 13, 15 and 17—to sell.	Form L, in addition to holding Form F or J, as the case may be.		Form L (as well as Form F or J) must be endorsed to have the effect of a licence in Form X or XII excluding all provisions as to arms and military stores.*	
13	Fireworks—to manufacture, sell and possess in quantities not exceeding 200 lbs. at a time.	Form D	... ..	Form D must be endorsed to have the effect of a licence in form IX excluding all provisions relating to arms and military stores.*	No licence is required under the Explosives Act for the mere possession of fireworks if obtained and intended for immediate use, kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety [vide rule 11 (d), Explosives Rules.]
14	Gunpowder and fuses for blasting purposes—to possess and transport.	Form C or F or J according to the class or quantity of the explosive noted in rule 11 (3) of the Explosives Rules.			
15	Gunpowder or an explosive of the 1st division of the 6th (ammunition) † class—to possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form C.	... ..	Form C must be endorsed to have the effect of a licence in Form XII or X, excluding all provisions as to possessing arms or to going armed.	See exemptions noted in rule 11 (3), Explosives Rules: in such cases licence would be required under the Arms Act only in the appropriate Form.

\* Covers sulphur (in quantities above 10 seers), and in districts on the external land frontier, saltpetre and lead (cf. Schedule II, ante.)

† Safety cartridges, safety fuzes for blasting, railway fog-signals, and percussion caps (see page 50 Explosives Rules.)  
cf. Explosives Rules.



APPENDIX E.—The annexed list shows what licences can be granted in the United Provinces under the Arms and Explosives Acts.

Serial number.	Object desired by person requiring a licence.	LICENCES NECESSARY TO BE TAKEN OUT TO EFFECT THE OBJECT DESIRED.		REMARKS.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
16	Gunpowder or an explosive of the 1st division of the 6th (ammunition) † class—to sell and possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form B ...	Form B must be endorsed to have the effect of a licence in Form X or XII excluding all provisions as to arms and military stores.*	
17	Gunpowder or an explosive of the 1st division of the 6th (ammunition) † class—to manufacture, sell and possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form A ...	Form A must be endorsed to have the effect of a licence in Form IX or XI, excluding all provisions as to arms and military stores.*	See exemptions in rule 10 (2) (a) (b) and rule 30, Explosives Rules.

\* Covers sulphur (in quantities above 10 seers), and in districts on the external land frontier, saltpetre and lead (*cf.* Schedule II. *ante.*)

† Safety cartridges, safety fuses for blasting, railway fog-signals, and percussion caps (see page 50 Explosives Rules.)

APPENDIX F.—A list of Indian States in the Punjab, together with the names of the Political Agents to whom copies of licences issued should be forwarded under Rule 17, clause 3 of the Indian Arms Rules, 1924, (page 89), is given below.

No.	Indian States.					Political Agents.
1	Patiala	...	...	...	...	Agent to the Governor General, Punjab States, Lahore.
2	Bahawalpur	...	...	...	...	
3	Jhind	...	...	...	...	
4	Nabha	...	...	...	...	
5	Kapurthala	...	...	...	...	
6	Faridkot	...	...	...	...	
7	Mandi	...	...	...	...	
8	Suket	...	...	...	...	
9	Chamba	...	...	...	...	
10	Malir Kotla	...	...	...	...	
11	Loharu	...	...	...	...	
12	Sirmur (Nahan)	...	...	...	...	
13	Bilaspur (Kahlur)	...	...	...	...	
14	Kalsia	...	...	...	...	Commissioner, Ambala Division, Ambala.
15	Dujana	...	...	...	...	
16	Pataudi	...	...	...	...	
17	Bashahr	...	...	...	...	Superintendent, Simla Hill States, Simla.
18	Nalagarh (Hindur)	...	...	...	...	
19	Keonthal	...	...	...	...	
20	Baghal	...	...	...	...	
21	Baghat	...	...	...	...	
22	Jubbal	...	...	...	...	
23	Kumharsain	...	...	...	...	
24	Bhajji	...	...	...	...	
25	Mailog	...	...	...	...	
26	Balsan	...	...	...	...	
27	Dhami	...	...	...	...	
28	Kuthar	...	...	...	...	
29	Kunihar	...	...	...	...	
30	Mangal	...	...	...	...	
31	Bija	...	...	...	...	
32	Darkuti	...	...	...	...	
33	Tarooh	...	...	...	...	
34	Sangri	...	...	...	...	
35	Kaneti	...	...	...	...	
36	Dalti	...	...	...	...	
37	Koti	...	...	...	...	
38	Theog	...	...	...	...	
39	Madhan	...	...	...	...	
40	Ghund	...	...	...	...	
41	Ratesh	...	...	...	...	
42	Rawin	...	...	...	...	
43	Dhadi	...	...	...	...	

APPENDIX G.—Marks on small arm and machine-gun ammunition and method of marking Government arms.

Revised statements showing the above were circulated with G. O. no. 1011, dated the 30th March, 1909.

APPENDIX H.—*Form of registration of firearms and ammunition held by persons exempted under Schedule I, India Arms Rules, 1924.*

Name of exempted person.	Entry of Schedule I under which exempted.	Description of firearms (including bore, muzzle or breech-loading and single shot or repeating.)	Maker's name and number.	Ammunition.

APPENDIX I.—FORM A.—Stock-book of....., son of....., caste....., resident of mauza....., pargana....., district....., licensed to manufacture, convert, sell or keep for sale arms, ammunition and military stores.

1 Date.	2	DESCRIPTION. 3				4 Ammu- nition.	5 Military stores.
		ARMS.					
		Rifles.	Guns.	Revolvers.	Pistols.		
Jany. 1st.	In Stock Added to stock Disposed of						
Jany. 2nd.		In stock.					

NOTE.—Details not provided in columns 3, 4 and 5 should be entered in ms.

“(OR FOR LARGE DEALERS)”

*Stock Book.*

Date.	Gun-Powders.				Revolver and pistol cartridges.	Shot gun cartridges.	Rifle.	Cartridges.		Rifle and lethal bullets.	Lead, shots and bullets.		R. L. guns.	M. L. guns.	Revolvers.	Pistols.	Rifles.	Air rifles.	
	Nitro.		Black.																
	lb.	oz.	lb.	oz.															
				(Gun caps.	'410 to '455 bore.	Others.	Loaded.	Empty.	'303.	M. H.	Other '450.	Loaded.	Empty.						
	Stock ..																		
	Sold ...																		
	Balance																		

(G. O. no. 1108/VIII—209, dated April 17, 1928)

FORM B.—Is identical with Form A above.

(OR FOR LARGE DEALERS)

*Stock book.*

Month.	Date.	Stock.	.12 B. L. Guns.	.12 M. L. Guns.	.303 Rifles.	.300 Rifles.	Revolvers.	.32 automatic pistols.	.48, .12, .16, .28 car- tridge cases.	.48, .12, .16, .28 loaded cartridges.	Loaded rifle cartridges.	Rifle cartridge cases.	Revolver cartridges.	Caps M. L.	Caps B. L.	.197 cap anvils.	.303 cartridges.	.450 cartridges.	.450 cases.	.577, .450 cartridge cases,	Gunpowder.
																					lbs. oz.

[G. O. No. 789, dated the 8th March, 1909.]

FORM C.—Day book of \_\_\_\_\_, son of \_\_\_\_\_, caste \_\_\_\_\_  
 resident of mauza \_\_\_\_\_, pargana \_\_\_\_\_, district \_\_\_\_\_  
 licensed to manufacture, convert, sell or keep for sale arms, ammunition  
 or military stores;

1	2	3	4	5	6	7	8
Date	Name of purchaser with father's name.	Caste.	Residence.	Articles purchased.	Price paid.	Form and date of licence held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption.	Date on which report of sale was sent to the District Magistrate.

FORM D.—Is identical with Form C. above

[Notification no. 2212-VI-1239, dated the 2nd June, 1916.]

(OR FOR LARGE DEALERS).

*Day Book.*

Date.	Purchaser's name and full address.	Gun-powders.		Gun caps.	Revolver and pistol cartridges.		Short-gun cartridges.	Rifle.	Cartridges.		Lead shots and bullets.		B. L. guns.	M. L. guns.	Revolvers.	Pistols.	Rifles.	Air rifles.	Number and full description of arms.	Licence number or grounds of exemptions.	Intimation of sale.
		lb.	oz.		.410 to .455 bore.	Others.	Loaded.	Empty.	Other .450.	Loaded.	Empty.	Rifle and lethal bullets.	Bags of 25 lbs.	lb.	oz.						

G. O. no. 1108/VIII—209, dated April 17, 1923.



**FORM E.—Register of licences to manufacture, convert, sell or keep for sale arms, ammunition or military stores in district**

1	2	3	4	5	6	7	8				9
Tahsil.	No.	Name of licensee.	Father's name, caste, etc.	Place of business.	Date.	Quantity of arms and ammunition covered by the licence.	RESULT OF INSPECTIONS.				REMARKS.
							BY INSPECTORS OF POLICE.		By Magistrates or Superintendents of police.		
							Quarter—				
							1st.	2nd.	3rd.	4th.	

**FORM F.—Register of licences to sell and keep for sale arms ammunition and military stores in district—similar to Form E above.**

**FORM G.—Register of licences to possess, arms or ammunition and to go armed for purposes of sport, protection or display.**

1	2	3	4	5	6	7	8	9	10
Tahsil.	No.	Date of licence.	Name of licensee.	Father's name, caste, etc.	Residence.	Number and description of weapons	Description of ammunition.	Date of expiry of licence.	REMARKS.

**FORM H.—Register of licences to possess arms, ammunition or military stores in a district which has not been disarmed—Similar to Form G. above.**

**FORM J.—Register of licences to possess arms and ammunition for the purpose of destroying wild animals which do injury to <sup>human beings</sup> crops, or cattle in district.**

Tahsil.	No.	Date.	Name of licence-holder.	Father's name, caste, etc.	Residence.	Place for which licence is valid.	Description of weapon.	Date of expiry of licence.	NOTE OF MAGISTRATE INSPECTING WEAPON AND LICENCE.					REMARKS.
									YEARS. 1st. 2nd. 3rd. 4th. 5th.					

FORM K.—Return of licences granted under the Indian Arms Act, XI of 1878, in the district of \_\_\_\_\_ for the year 19 \_\_\_\_ . [Rule 95 (i), page 270.]

1	2	3	4	5	6	7						8	9							
Serial number.	Detail of licences in Forms III, VI to XVI and XVIII to XX	Number of licences in force on the 31st December of the previous year.	Number of licences in force at the beginning of the year.	OPERATIONS OF THE YEAR.		Number of licences in force at the end of the year.	NUMBER OF WEAPONS COVERED BY LICENCES SHOWN IN COLUMN 6.						Number of licences in column 5 (c) which were revoked for breach of conditions of licences for misconduct of the licence holder.	REMARKS.						
				(a) New licence.	(b) Renewed licences.		(c) Licences in force at any time during the year which became void before its close.	BREACH-LOADING.		MUZZLE-LOADING.					Pistols.	Revolvers.	Total number of firearms.			
								Rifles.	Smooth-Bores.	Rifles.	Smooth-bores.	D. B.						S. B.	D. B.	S. B.

**Column 3.**—In this will be entered all licences in force on the 31st December of the year previous to that for which the return is submitted, whether the period of the grant expired on that date or not. The number will correspond with that in column 6 of the previous year's return.

**Column 4.**—The number of licences entered in this column is the number of licences in force on 31st December of the previous year (entered in column 3) which did not expire on that date.

**Column 5.**—(a) Enter, with the following exceptions, licences granted to persons who did not hold similar ones during the previous year. All licences granted during the year in Forms VI and VII will be entered in this column whether, or no similar licences were granted to the holders during the previous year.  
(b) Enter licences granted to persons who held one in the previous year in consequence of those licences having expired at the end of it.

**Column 6.**—Will be the total of columns 4 and 5 (a) and (b) minus the number in column 5 (c).

**Column 7.**—Note that those arms only held under a licence in force at the end of the year are to be entered. Thus, arms held under a licence in Form XX (to go armed on a journey) which expired during the year or under any other licence entered in column 5 (c) would not be included in this column.

**Columns 3—7.**—Suspensions of licences should be ignored in filling up columns 3—7 and noticed in column 9 "Remarks." Licences which are merely suspended are not to be held as "void."

**Column 9.**—If a licence in Form IX or X is granted to cover arms only or military stores only, this should be noted in column of "Remarks."

**FORM L.**—Annual statement of the operation of the Arms Act XI of 1878, in the district of ——— for the year ———. [Rule 95 (i), on page 270].

[illegible]

NOTE—Columns 16 to 20 cover only weapons confiscated under section 24, Act XI of 1878, after conviction of an offender. The number of weapons confiscated under section 16 should be entered in column 25.

FORM M.—Register showing sales of arms, ammunition or military stores by local dealers in the district———.

1	Serial number.
2	Name of dealer.
3	Name of purchaser.
4	Address of purchaser.
5	Full description of articles, giving size of bore, number, mark, and maker's name, in case of firearms.
6	Date of sale.
7	Whether sale is verified.
8	Date of issue of verification slip.
9	Date of reply.
10	Result of verification <i>i. e.</i> , whether purchaser is lawfully entitled to possess the articles and whether they are for his own use and whether weapon is still in his possession.
11	Date on which report of sale was sent to the Deputy Inspector-General of Police, Criminal Investigation Department, United Provinces.

APPENDIX K.—Officers in other provinces to whom letters of enquiry should be addressed regarding sales of arms by dealers in the United Provinces to persons who are not residents of the United Provinces.

Place of which purchaser is resident.	Designation of Officer.
1. Any Indian State ...	1. Political Officer for the State.
2. Calcutta ...	2. Commissioner of Police, Calcutta.
3. Bengal Presidency (excluding Calcutta.)	3. Superintendent of Police concerned.
4. Bombay city ...	4. Commissioner of Police, Bombay.
5. Bombay Presidency (excluding Bombay city).	5. District Superintendent of Police concerned.
6. Sind ...	6. Commissioner in Sind.
7. Rangoon ...	7. Commissioner of Police, Rangoon.
8. Burma (excluding Rangoon).	8. District Superintendent of Police concerned.
9. Punjab ...	9. District Superintendent of Police concerned.*
10. Central Provinces ...	10. District Magistrate concerned.
11. Assam ...	11. District Superintendent of Police concerned.
12. North-West Frontier }	12. *(1) In the case of residents of British districts, viz., Hazara, Peshawar, Kohat, Bannu and Dehra Ismail Khan. To the Superintendent of Police concerned.
	(2) In the case of residents of the Indian States of Amb and Phulera. To the Deputy Commissioner, Hazara, district, Abbottabad.
	(3) In the case of residents of the Indian States of Chitral and Dir. To the Political Agent Dir, Swat and Chitral Agencies, Malakand.
13. Coorg ...	13. District Magistrate of Coorg at Mercara, through the Commissioner of Coorg.
14. Bihar and Orissa ...	14. Deputy Inspector-General of Police, Crime and Railways, Bihar and Orissa.
15. Madras city ...	15. Commissioner of Police, Madras.
16. Madras Presidency (excluding Madras city).	16. District Magistrate concerned.
17. Delhi ...	17. District Magistrate of Delhi,

[G. O. No. 2716, dated the 6th July, 1916.]

\*G. O. No. 1256-VIII—214, dated the 18th May, 1922.

#### APPENDIX L.—CERTIFICATE OF EXEMPTION.

This is to certify that—  
residing in the—district is a person who is exempt from the operation of the Indian Arms Act, 1878, under entry no.—of Schedule I to the Indian Arms Rules, 1924 clause (b) of section I of the said Act.

Dated— }

District Magistrate of the—district  
Agent to the Govr. for the—State

## APPENDIX M.

*Annual return of licensed and exempted firearms in the possession of, and ammunition purchased by, the residents of the \_\_\_\_\_ district, during the year, \_\_\_\_\_*

[illegible]

*Report on the number of arms and amount of ammunition held illicitly in the— ———— district.*

*Dated*

19

*District Magistrate.*

## Punjab Local Rules and Orders.

1. *Punjab notn. no. 2460 dated the 3rd July 1879*—The prohibitions and directions contained in sections 13 and 14 of the Indian Arms Act, 1878, do not apply to the villages on the border of the Hazara District. [Note.—The list of villages are shown at the end of Schedule VIII, on pages 176-177.]

2. Extension of section 15 of the Act, to the Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan Districts,—(*Vide* Note to section 15, page 52.)

3. *Punjab circular no. 12—1309, dated the 29th September 1899.*—(1) As the result of recent inquiries the Lieutenant Governor has decided that the executive authorities will be acting within the provisions of the law if they treat the **weapons known as chhavis** as arms for the purposes of the Indian Arms Act, 1878, and the rules thereunder; and he is pleased to direct that they shall henceforth be so treated except in the two Frontier Divisions of the Province, subject to the instructions which follow.

(2) The **Scheduled districts of the Punjab** have been withdrawn from the operation of all prohibitions and directions contained in **section 13** of the Act, which does not, therefore, apply to the tracts of **Lahaul and Spiti**. Clause 2 of section 32 of Act No. XXXI of 1860 (page 51) did not at the time, when Act XI of 1878 came into force, apply to the districts of **Simla and Kangra**, and section 15 of Act XI of 1878 has not subsequently been extended to either districts. The result, then, of the ruling contained in paragraph 1 of this letter in the four Cis-Indus Divisions of the Province, is that the executive authorities are instructed to assume that the law is as follows:—

(Except in **Lahaul and Spiti**) no person shall go armed with any **chhavi** except under a licence and to the extent and in the manner permitted thereby (section 13 of the Arms Act). Any person so going armed without a licence or in contravention of its provisions may be disarmed by any Magistrate, Police officer or other person empowered by the local Government in this behalf by name or virtue of his office (section 13). **Except in the Simla and Kangra districts** no person shall have in his possession any **chhavi**, except under a licence and in the manner and to the extent permitted thereby (section 15 of the Arms Act). The rest of the Act and the rules thereunder are similarly to be assumed applicable to **chhavis** in the same way as to other arms. To go armed with such a weapon contrary to the provisions of section 15, is to commit an offence under section 19 (e) (f) or section 20, as the case may be, and an offence which in either case is cognizable by the Police. (Schedule II to the Criminal Procedure Code, 1898).

(3). It will be the duty of Commissioners and District Magistrates to see that the Crown is adequately represented at all stages in every case in which the application of the Arms Act and rules to **chhavis** is likely to come in question before the Courts, and that every case in which a judicial ruling on the subject has been given, whether by a Civil or a Criminal Court, is promptly reported to Government. It remains to indicate the lines on which the law, as interpreted in paragraph 1 of this circular, should be enforced.

(4) The Lieutenant-Governor thinks it undesirable that there should be any general house **searches to discover chhavis** improperly possessed, though he does not intend to prohibit search under section 25 when definite information has directed attention to particular houses or when the perpetration of crimes of violence in which weapons of the kind have been used, is traced to particular localities. The objection is to general searches without special reason. A person found carrying a **chhavi** contrary to the provisions of section 12 or section 13 may always (subject to the remarks on the subject of notice in the next following paragraph) be deprived of his weapon by a properly authorised person and similar weapons found in the course of properly authorised searches may always be taken away by the police in the exercise of their preventive authority, even if no prosecution in respect of them is instituted. The Lieutenant Governor is, however, pleased to direct that no seizure of an unlicensed **chhavi**, whether in the exercise of the preventive authority conferred by section 149, Criminal Procedure Code, or under section 13 of the Arms Act, should be made by any police officer below the rank of sergeant.

(5). The first step to take, however, is to issue a proclamation in each district concerned warning the people that they must apply within one month for licences in respect to **chhavis**, or deposit them with the officer in charge of the nearest police station.

(6). Licences should be freely granted for purposes of protection to respectable persons, and in circumstances where it seems likely that the **deprivation of chhavis**, would tend to encourage rather than diminish crimes of violence by taking away from the well-disposed the means of defending themselves. The question of abolishing the levy of fees for licences \* \* whether for **chhavis** or for other arms, is under the Lieutenant-Governor's consideration, but for the present it will be necessary to follow the existing rule on the subject.

(7). Prosecutions should not for the present be generally instituted, and where instituted they should be conducted with caution and carefully watched. Short of prosecution for a breach of the Arms Act, it is always open to the District Magistrate to instruct the police to take persons found **carrying chhavis** before the nearest Magistrate, in order that he may satisfy himself as to their antecedents and as certain whether security ought to be demanded from them under section 107, 109 or 110, Criminal Procedure Code: and instructions to this effect might be given to all Police-officers not below the rank of officers in charge of stations.

(8). In the districts of Lahore, Amritsar and Ferozpur the instructions of the circular in respect to **chhavis** should be carried out in regard to **long handled gandasas** also. As regards other districts, I am to say that the long handled **gandasas** is, in some places, a weapon almost, if not quite as formidable as the **chhavi** and used, like the **chhavi**, for purposes of offence, and not, as an agricultural implement: and where this is the case, the District Magistrate would be similarly justified in treating it as a weapon coming under the provisions of the Arms Act. If, therefore, any Deputy Commissioner

thinks it desirable to proceed on these lines in regard to any such weapon which is not capable of being classed as a *chhavi*, he should refer the matter, through the Commissioner, for the orders of Government, stating what definition he proposes and the reasons for the measure.

(9). Commissioners should keep a careful watch on the manner in which Deputy Commissioners in their Divisions give effect to the instructions contained in this circular.

(10). The Inspector-General of Police will be requested to notice the effect of the measures now to be taken against **chhavis and gandasas** in the Police Administration Report for the current year.

4. *Punjab circular no. 5-1125, dated the 16th Oct. 1903.*—(1) As there has been some misapprehension as to the purport of the letters \* \* \* regarding the treatment of **chhavis and gandasas** as "arms" under Act XI of 1878, I am directed to address you as follows:—

(2) As noted in the Chief Court's decision, no. 16 P. R. of 1900, (referred to in notes (14) and (39), pages 39 and 41) any **weapons or instruments carried or possessed for the purpose of offence and defence**, come under the category of "arms." The more common weapons and instruments which when carried or possessed by individuals may universally be presumed to be so carried or possessed for purposes of offence or defence are specified in section 4 of the Act, but the list there given is not exhaustive and Local Government in 1899, after considerable enquiry, concluded that (a) **chhavis** throughout the Province, and (b) **long-handled gandasas** in the **Lahore, Amritsar and Ferozpur districts** were so very rarely carried or possessed, except for purposes of offence and defence, that the executive officers of Government might properly treat these weapons as "arms" within the meaning of the Act. District Officers were accordingly, in this office letter No. 1302, dated the 29th September 1899, authorised to treat these weapons as "arms."

(3) It was not intended by the instructions above described to limit the action of District officers to the weapons there mentioned. It is still open to them to take action under the Arms Act either:—

(a) generally as regards weapons in respect of which they may have received authorisation under the last sentence of paragraph (8) of the letter of 29th September 1899, (page 302), or

(b) in particular instances as regards weapons or instruments of any description which in those particular cases appear to be possessed or carried for purposes of offence.

I am to add that action under (b) can be taken by Deputy Commissioners without reference to higher authority.

5. *Punjab letter no. 664, dated the 22nd April 1915.*—Since the attention of District Magistrates has now been drawn to their **discretionary powers** in the matter (renewal of licences granted by District Magistrates) the Lieutenant Governor, while considering that two years would ordinarily be a suitable period for the duration of such licences, is content to leave further action in their hands, subject to any instructions which you may see fit to issue to suit the circumstances of particular districts or classes of persons in your division,



6. *Punjab notn. no. 1449, dated the 1st November 1915.*—Whenever a licensee makes a **sale of arms, ammunition or military stores**, he shall within 48 hours make a report thereof to the Superintendent of Police of the District in which the licensee has his place of business, factory or shop and shall in such report state—

(a) The name, description and residence of the person who takes delivery of the articles sold;

(b) the nature and quantity of the articles sold;

(c) the date of sale,

and such report shall be signed by the licensee.

The Inspector General of Police, Punjab, has been asked to instruct Superintendents of Police in the province to inform the District Magistrates of the district in the United Provinces in which the purchaser resides, of all **sales of arms and ammunition** (such as rifles and their ammunition; pistols, revolvers and their ammunition; air-pistols; walking-stick rifles and sword-sticks), the verifications of which will be obligatory. The Government of the United Provinces was informed that for purposes of verification sales in those Provinces to residents of the Punjab report should be made to the Superintendent of Police of the district, or in the case of residents of Native States to the Political Agent, concerned.

As regards the North-West Frontier Province the Inspector-General of Police, Punjab had been asked to arrange for the supply to the Superintendent of Police concerned (in the case of British Districts), to the Deputy Commissioner, Hazara, (in the case of Amb and Phulera) or to the Political Agent, Dir, Swat and Chitral (in the case of Chitral, Dir and Nawagai), as the case may be, of details received regarding sales made to persons residing in the Province.

7. Sulphur

8. Leaden bird shot and bullets

9. Lead.

} *Vide notes (25), (26)*  
and (27) to Schedule II, page 139.

10. Exemption from payment of fees of certain persons in the Simla district—*Vide note (1) to Schedule VII, page 151.*

11. Registration of arms by exempted persons. *Vide Note (4) to rule 2, page 81.*

12. Endorsement on licences in form XVI. *Vide Note (2) to rule 33, page 103.*

13. Prohibition against air pistols.—*Vide note (15) to schedule II, page 138.*

14. *Punjab notification no. 15144 dated the 2nd June 1924.*—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), read with section 2 of the Devolution Act, 1920 (XXXVIII of 1920) the Governor in Council is pleased—

(1) to remit all fees payable under Schedule II of the said Act upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under those rules, and

(2) to reduce to one anna all fees, exceeding one anna, payable under the said schedule upon other applications relating to licences or duplicates granted or renewed under the said rules. (In this connection, *Vide note to rule 29 of the Bengal Rules, page 221.*)

15. *Punjab. circular no. 23396 dated 13th Oct, 1924.*—\* \* It appears that an impression has been created that if an **exemptee fails to register the fire-arms** in his possession within the period prescribed

by the Punjab Government notification no. 6820 dated the 5th of March 1924 (*vide* note (2) on page 81) his exemption is automatically cancelled. I am to point out that failure on the part of an exemptee to comply with the orders contained in the notification referred to merely renders him liable to the cancellation of his exemption, and that no exemption should be treated as cancelled until the orders of Government have been obtained. It is not intended that references should be made to Government except in cases in which the failure to register amounts to a wilful refusal to comply with the condition laid down in proviso (b) to sub-rule 1 of rule 3 of the Indian Arms Rules, 1924 (page 81).

16. *Punjab, circular no. 25754, dated the 18th November 1924.*—  
\* \* \* The Government of India stated (in para. 6 of resolution No. F-829-1-22, dated the 3rd November 1924, (page 20), that they had decided that **entries 11, 11-A and 11-B, in Schedule I, of the Indian Arms Rules, 1920**, should be deleted, and that no exemption of the kind permitted by these entries should be continued in the new rules. At the same time, every person who had enjoyed exemption under these entries in the old rules was to be entitled, under the rules of 1924, to a life licence in form XVI, free of all fee, in respect of any arms then in his possession and hitherto exempt from licence. Exemptions under entries 11, 11-A, and 11-B, in Schedule I to the Indian Arms Rules, 1920, were for the first time restricted in the Punjab Government notifications nos. 581, dated the 9th of January 1922 and No. 20656 dated the 15th August 1923. It has been brought to the notice of the Governor in Council that the Government of India resolution referred to and these notifications have been in some districts interpreted as contradictory. I am accordingly to authorise you in granting licences in accordance with the orders in para. 6 of the resolution to waive the restrictions imposed by the Punjab Government notifications of 1922 and 1923.

17. *Punjab, letter no. 4029 dated the 12th February 1925.*—\* \* \* I am directed to say that the orders contained in my letter No. 25754 dated the 18th November 1924, were not intended to **permit an extension of the period of six months** prescribed by para. 6 of the resolution of the Government of India No. F-829-1-22 dated the 3rd November 1924, (page 20), but to enable Deputy Commissioners to deal with doubtful cases still pending before them. In the circumstances explained in the concluding paragraph of your letter, however, the Governor in Council agrees to give Deputy Commissioners discretion to treat, as having been submitted within time, any applications for life licences in form XVI which are not so submitted, but for the late submission of which a reasonable excuse exists.

18. *Punjab letter no. 4306 dated the 16th February 1925.*—The orders contained in letter No. 10238, dated the 2nd April 1924, were not intended to limit the exemption enjoyed under the Indian Arms Rules, 1924, by **Great Sardars and Jagirdars** to particular weapons, and that replacements within the limit of the exemption enjoyed in each individual case are therefore permissible. No specific orders are necessary with regard to other persons enjoying exemption under Schedule I to the Rules for whom no limit of possession has

been fixed, but it may be assumed that in their case also the same principle would be followed should occasion arise.

19. *Punjab letter no. 14904 dated the 17th June 1925*—A case has recently come to the notice of Government in which a burglary at the premises of a licensed dealer in arms resulted in the **loss of six revolvers and a number of knives**. In the course of the ensuing police investigation it was observed that the premises were not adequately protected against theft. In this connection I am to invite attention to rule (V) of the rules circulated with \* [notification no. 8408, dated the 5th March 1907 (below)] which requires the police to carry out quarterly inspections not only of the stock but also of the shops and premises of manufacturers of, and dealers, in arms and to request that in future these inspections may be made to include an examination of the arrangements for the protection of the premises against theft, defects in which should be reported to the licencing authority concerned without delay.

20. *Punjab notification no. 8408 dated the 5th March 1929*.—The following revised rules have been made in supersession of those published with notifications no. 943 dated 10th July 1907, no. 15486 dated 10th May 1922 and no. 23576 dated 9th Oct. 1923.

21. I.—Officers to detain arms under section 6—*Vide* note (7) to section, 6, pages 47.

II.—Officers to conduct searches under sec. 25—*Vide* note (1) to sec. 25, page 71.

III.—Officers to conduct searches under sec. 30—*Vide* note (3) to sec. 30, page 75.

IV.—All persons holding licences to manufacture, convert, sell or keep for sale arms, ammunition or military stores shall maintain stock books and accounts of receipts and issues in forms A and B of the Appendix to these rules and all persons holding licences to sell or keep for sale arms, ammunition or military stores shall maintain stock and account books in forms C and D. The pages of these books shall be numbered, and before any entries are made, the books shall be exhibited, together with the manufacturer's or dealer's licence, to the District Magistrate or to a Subordinate Magistrate. Such Magistrate will sign the first and last pages of each book and seal them with his official seal.

V.—The shops, premises and stocks of all licensed manufacturers and dealers shall be inspected once in every quarter by a police officer not below the rank of Deputy Superintendent. In a district in which there is no Assistant or Deputy Superintendent of Police quarterly inspections may be carried out by an Inspector. At least one inspection in each year shall be performed by the Superintendent of Police. At the time of inspection the books shall be initialled by the Inspecting Officer. Any irregularity or breach of the rules which may be noticed shall be at once reported to the District Magistrate.

VI.—(1) Whenever a licensee makes a sale of arms, ammunition or military stores he shall within 48 hours make a report thereof to the Superintendent of Police of the district in which the licensee has his place of business, factory or shop and shall in such report state—

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\*The sentence within brackets substituted for the words "rule 5 of the rules circulated with letter no. 943 dated the 10th July 1907," which has been superseded by notification no. 8408 dated the 5th March 1929, shown in para: 19 above.

(a) The name, description and residence of the person who takes delivery of the article sold ;

(b) The nature and quantity of the articles sold ;

(c) The date of sale ;

and such report shall be signed by the licensee.

(2) Similar details of purchases of arms made by Indian Chiefs and Notables of Indian States shall be communicated by the Arms Dealer immediately after the transaction direct to the political officer in charge of the State to which the purchaser belongs. Copies of the list of Independent and Native States showing the designation and address of the political officer-in-charge of them are supplied to the District Magistrates and each vendor of arms should be provided with a copy.

VII.—Under proviso (a) to sub-rule (3) of rule 42 (page 110) the Governor in Council is pleased to direct that licences in form XI and form XII may be renewed by the Commissioner of the Division in which the licensee resides or carries on business.

VIII.—On receiving notice of sale, under clause 2, section 5, by a person lawfully possessing arms to any person not prohibited from possessing the same, the Magistrate or Police officer may make inquiries as to the correctness of the purchaser's name and address, and if necessary obtain a report from the Superintendent of Police of the district in which the purchaser lives.

IX-XIII.—Deposit of Arms.—printed on page 181.

XIV.—Disposal of confiscated Arms.—printed on page 184.

XV-XVI.—Rewards to Informers.—printed on page 186.

### Registers of Licences.

XVII.—Every District Magistrate shall keep up in form E of the Appendix to these rules a register of all licences to manufacture, convert, sell or keep for sale any arms, ammunition or military stores granted by him or by the Local Government under rule 28 of the Indian Arms Rules, 1924, and, shall keep up in form F a register of all licences to sell or keep for sale granted by him or by the Local Government under the same rule. All Superintendents of Police shall keep up similar registers in English. Magistrates of districts will supply to their Superintendents of Police copies of all such licences issued by them or by the Local Government.

The Superintendents of Police will furnish to each officer-in-charge of a police station copies of extracts, columns numbers (1) to (6) giving the names, etc., of persons licensed within his jurisdiction.

XVIII.—All inspections of the shops, premises and stocks of licensed manufacturers and vendors by Inspectors of Police or superior officers shall be reported to the District Magistrate and shall be entered in the registers.

XIX.—Registers of licences granted by the District Magistrate or by any Sub-Divisional Magistrate specially empowered by the Local Government in that behalf under rules 31, 33, 35 and 36 of the Indian Arms Rules, 1924, shall be kept up by him in forms G, H and I, respectively. Similar registers will be kept up in

English by the Superintendent of Police to whom the District Magistrate or the Sub-Divisional Magistrate specially empowered by Local Government will furnish copies of all such licences granted by him. The Superintendent of Police will supply each officer-in-charge of a station with an extract giving the parts of each register which concern his jurisdiction.

XX.—Licensing authorities who receive reports of permanent changes in the address of licence holders under condition 11 of the conditions attaching to a licence in form XVI of Schedule VIII of the Indian Arms Rules, 1924, shall cancel the relevant entry in the registers prescribed by rule XIX above, and inform the licensing authority of the district to which the license-holder changes his residence accordingly. The latter shall register the licence in the manner shown below :—

“Transferred from the                      district”

If subsequent changes of permanent address are intimated to the issuing authority he shall transmit the report to the authority with whom he arranged the transfer of the licence.

XXI.—All persons enjoying exemption under Schedule I of the Indian Arms Rules, 1924, shall furnish to the District Magistrate of the district in which they reside, within three months from the date of order of exemption, a list showing the number and description of arms in their possession and shall thereafter inform the District Magistrate in writing of any increase or decrease in such number within one month from the date on which such increase or decrease takes place. Failure on the part of an exemptee to comply with this rule will render him liable to the cancellation of his exemption. No fee shall be payable in respect of any communication made by an exemptee in accordance with the provisions of this rule. [*Note.—Vide note (2) to rule 3 page 81.*]

Every District Magistrate shall maintain a register of such arms in the possession of exemptees.

XXII.—With reference to sub-rule (3) of rule 33 of the Indian Arms Rules, 1924, the Governor in Council is pleased to direct that holders of licences in form XVI, granted in other provinces, and having effect in the Punjab shall upon entering any district in the Punjab, send their licences to be endorsed by the District Magistrate, and shall inform him of the probable period of their stay in his district, provided that when the period spent in any district does not exceed fourteen days, no endorsement shall be necessary. No fee shall be paid in respect of any endorsement made in accordance with this order. (*Vide note (9) to rule 33, on page 103.*)

XXIII. Returns in forms K and L shall be prepared for each calendar year and submitted by District Magistrates, through Commissioners, to the Inspector General of Police.

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## Appendix.

FORM A.—Stock book of—son of—, caste—resident of—licensed to manufacture, convert, sell or keep for sale, arms, ammunition or military stores.

1	2	3	4	5	6	7	8	9	10	11	12
Date.	PARTICULARS.	DESCRIPTION.						Ammunition.	Military stores, including • lead, sulphur, and saltpetre.	Name and address.	Signature of licensee.
		FIRE- ARMS.		OTHER WEAPONS.							
		Guns.	Pistols	Swords.	Bayonets.	Daggers.	Others.				
Jan 1st ...	In Stores— Manufactured Received ...										
Jan 2nd ...	Disposed of In store ...										

FORM B.—Daily sale book of—son of—, caste—, resident of—licensed to manufacture, convert, sell or keep for sale arms, ammunition or military stores.

1	2	3	4	5	6	7
Date	Name and father's name of purchaser.	Caste and profession of purchaser	Residence of purchaser.	Articles purchased.	Price.	Signature of purchaser and dealer.

FORM C.—Is the same as Form A, except that in heading for the words "licensed to manufacture," etc., read "licensed to sell or keep for sale," etc., and in column 2 omit the word "manufacture."

FORM D.—Is the same as Form B, except that in heading for the words "licensed to manufacture," etc. read "licensed to sell or keep for sale" etc.

FORM E.—Register of licences to manufacture, convert, sell or keep for sale arms, ammunition or military stores in district.

1	2	3	4	5	6	7				8	9			
Tahsil.	No.	Name of licensee.	Father's name, and caste and residence.	Place of business.	Date.	INSPECTIONS BY								REMARKS.
						ASSISTANT OR DEPUTY SUPERINTENDENT OR INSPECTOR OF POLICE.				By Magistrate of district or Superin- tendent of Police.				
						1st	2nd	3rd	4th					

FORM F—Is the same as Form E, except that in heading for "licences to manufacture," etc., read "licences to sell or keep for sale," etc.

FORM G.—Register of licences to possess arms, ammunition or military stores granted under rule 31.

DISTRICT—

1	2	3	4	5	6	7	8	9	10
The first seven columns as in Form H (below).							Place where arms are to be kept.	Term for which licence is valid.	REMARKS.

FORM H.—Register of licences granted under rule 33 to possess arms, or ammunition, and to go armed for the purposes of sport, protection or display in—district.

1	2	3	4	5	6	7	8
Tahsil	No.	Date.	Name of licence-holder.	Father's name, caste, etc.	Residence.	Number and description of weapons.	REMARKS.

FORM I.—Register of licences granted under rules 35 and 36 to possess arms and ammunition and to go armed for the purpose of destroying wild animals which do injury to human beings, cattle or crops in—District.

1	2	3	4	5	6	7	8	9	10					11
Tahsil.	Form and no.	Date.	Name of licence-holder.	Father's name and caste.	Residence.	Place for which licence is valid.	Weapon.	Date of expiry of licence.	INSPECTION BY MAGISTRATE OF WEAPON AND LICENCE.					REMARKS.
									1st year.	2nd year.	3rd year.	4th year.	5th year.	

FORM K.—Return of licences granted under Act XI of 1878 in the district  
of \_\_\_\_\_ for the year.

1	2	3	4	5	6	7	8
Details of licences.	Number of licences in force last year.	OPERATION OF THE YEAR.			Number in force at end of present year.	Remarks by Deputy Commissioner.	Remarks by Commissioner.
		New licences.	Renewed licences.	Revoked or suspended.			
1. In form VII to transport arms, ammunition or military stores.							
2. In form IX to manufacture, convert, sell or keep.							
3. In form X to keep and sell.							
4. In form XIV for the possession of arms.							
5. In form XV for the possession and use for target-practice.							
6. In form XVI to possess arms or ammunition and to go armed for purposes of sport, protection or display.							
7. In form XVIII for the destruction of wild animals which do injury to human beings and cattle.							
8. In form XIX for destruction of wild animals doing injury to crops and cattle.							
9. In form XX for going armed on a journey in or through any province.							

## FORM L.—Annual statement of the operation of the Arms Act, XI of 1878, in the district of \_\_\_\_\_ for the year.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25											
NUMBER OF PERSONS PUNISHED UNDER														NUMBER AND DESCRIPTION OF WEAPONS CONFISCATED.																					
SECTION 19, FOR OFFENCE UNDER.																																			
Clause a.	Clause b.	Clause c.	Clause d.	Clause e.	Clause f.	Clause g.	Clause h.	Clause i.	Section 20, for secret breaches.					Section 21, for breach of licence.					Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.					Section 23, for failure to give information as required in section 28.											
														Total punished (columns 1 to 13).											Rifles.										
														Smooth-bore guns.											Pistols.										
														Swords.											Bayonets.										
														Daggers or knives.											Spears.										
														Others.											Value of fines imposed and realised.										
														Amount paid as rewards to informers, etc.											REMARKS.										

This return will be submitted yearly through the Comr. to the I. G. of Police  
Dy. Comr.



# 312 RULES RELATING TO RAILWAY LANDS, PUNJAB STATES.

## RULES RELATING TO RAILWAY LANDS IN CERTAIN STATES IN PUNJAB.

*Foreign and Political Department, Notification No. 543-I, dated the 2nd July 1924* :—Whereas the Governor General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the Schedule hereto annexed which are, or may hereafter be occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by station, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Orders in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands.

### PART I.—Criminal Jurisdiction.

For the purposes of Criminal Jurisdiction, except, in proceedings against European British subjects the following arrangements shall be made, namely :—

Within the lands occupied by the Railways as aforesaid, the officers and Court mentioned in the corresponding entries in the third, fourth and fifth columns of the schedule shall exercise, respectively—

(a) the powers of District Magistrate including all powers conferable on a District Magistrate,

(b) the powers of a Court of Session, and

(c) the power of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

For the purpose of Civil Jurisdiction the following arrangements shall be made, namely :—

Within the lands occupied by the railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of civil justice :—

(a) the powers of a District Court, and

(b) the powers of the High Court,

as described in the Punjab Courts Act, 1918, as for the time being in force.

II. The notification of the Government of India in the Foreign Department, No. 516 I. B. dated the 17th March 1913, so far as it relates to the Railway lands in the Baghat and Keonthal States is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

### Schedule,

1		2	3	4	5	6	7
Railway.		State.	CRIMINAL JURISDICTION.			CIVIL JURISDICTION.	
			District Magistrate with powers conferable under section 30 of the Code of Criminal Procedure 1898.	Court of Session.	High Court.	District Court.	High Court.
North-Western Railway System.	Kalka-Simla Railway.	Baghat Keonthal.	The Assistant superintendent of the Simla-Hill States.	The Superintendent of the Simla-Hill States.	The High Court of Judicature at Lahore.	The Superintendent of the Simla-Hill States.	The High Court of Judicature at Lahore.

# RULES RELATING TO RAILWAY LANDS, PUNJAB STATES. 313

2. *Foreign and Political Department, Notification No. 344-I, dated the 2nd July 1934* :—Whereas the Governor-General-in-Council has full and exclusive power and jurisdiction of every kind over the Railway Lands specified in notification No. 343-I, dated the 2nd July 1934, and over all persons and things whatsoever within the said lands :—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General-in-Council is pleased to apply to the said lands (hereinafter styled "The Railway Lands") the enactments specified in the schedule hereto annexed in so far as the same may be applicable hereto and subject to any amendments to which the enactments are for the time being subject in British India.

Provided, first, that the enactments as so applied references to a Local Government shall be read as referring to the Governor of the Punjab in Council, references to a High Court as referring to the High Court of judicature at Lahore, and except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a Local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purposes of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof and any notifications, orders, rules, forms or by-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that subject to the provisions of this notification the Governor of the Punjab in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

II. The notification of the Government of India in the Foreign Department, No. 517-I. B, dated the 17th March 1913, in its application to the Railway Lands in the Baghat and Keonthal States, is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued but that save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall, so far as may be, deemed to have been respectively, commenced, appointed, or authorised, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

## SCHEDULE.

### *Enactments applied*

### *Further modifications and restrictions.*

\* \*  
The Indian Arms  
Act, 1878, (XI of  
1878).

\* \* \* \* \*  
After section 33 the following section shall  
be inserted.

34. Notwithstanding anything contained in this Act, the Governor-General-in-Council may, by notification in the *Gazette of India* apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules are for the time being subject in British India, and with such modifications or restrictions as may be specified in the notification, and any rules so applied shall have effect in the railway lands as if made under this Act.

\* \* \* \* \*

3. *Foreign and Political Department notification No. 345-I, dated the 2nd July 1934* :—Whereas the Governor-General-in-Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the Schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said

## 314 RULES RELATING TO RAILWAY LANDS, PUNJAB STATES.

Schedule (including the lands occupied by stations, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor in Council is pleased to provide, as follows for the administration of justice within the said lands.

### PART I.—Criminal Jurisdiction.

For the purpose of Criminal Jurisdiction, except in proceedings against European British subjects, and person jointly charged with European British subjects, the following arrangements shall be made, namely :—

Within the lands occupied by the Railways as aforesaid, the officers and the Court mentioned in the corresponding entries in the third, fourth and fifth columns of Schedule shall exercise, respectively—

(a) the powers of District Magistrate including all powers conferable on a District Magistrate.

(b) the powers of a Court of Session, and

(c) the powers of a High Court,

as described in the Code of Criminal Procedure, 1923, as for the time being in force in the said lands.

### PART II.—Civil Jurisdiction.

For the purposes of Civil Jurisdiction the following arrangements shall be made, namely :—

Within the lands occupied by the Railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of Civil Justice—

(a) the powers of a District Court, and

(b) the powers of the High Court,

as described in the Punjab Court Act, 1918, as for the time being in force.

II. The notification of the Government of India in the Foreign Department, No. 516-I, B. dated the 17th March 1913, in so far as it has not already been cancelled, is cancelled hereby.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

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# RULES RELATING TO RAILWAY LANDS, PUNJAB STATES. 315

## SCHEDULE.

1		2	3	4	5	6		7
Railway.		State.	District Magistrate with powers conferable under section 30 of the Code of Criminal Procedure, 1898.	CRIMINAL JURISDICTION.		CIVIL JURISDICTION.		
				Court of Session.	High Court.	District Court.	High Court.	
Bombay, Baroda & Central India Ry. System.	1. Rajputana Malwa Railway.  <i>Rewari Phulera Chord.</i>	Nabha, Patiala.	The Dy. Commissioner, Gurgaon	The Agent to the Governor-General, Punjab States, and such person holding the office of 1st Assistant to the said Agent to the Governor-General as the local Government of the Punjab, with the concurrence of the High Court of Judicature at Lahore, may appoint <i>by name</i> in this behalf, and in the areas in which in pursuance of this notification the Deputy Commissioner of a District exercises the powers of a District Magistrate, the District Judge of that District	H. C.	The same as in column 4.		
Jodhpur-Bikaner Railway System.	2. Jodhpur-Bikaner Railway.  Bhatinda Bikaner frontier.	Patiala.	The Dy. Commissioner Ferozepur.					
North-Western Railway System.	3. Kalka-Simla Railway.	Patiala.	The Assistant Supdt. of the Simla-Hill States.	The Superintendent of the Simla-Hill States.		The Superintendent of the Simla-Hill States.		
	4. Ludhiana Dhuri-Jakhal Ry.	Maler Kotla.	The Deputy Commissioner Ludhiana.	The same as the first entry in this column with the omission of the words "by name."	...	The same as in the first entry in column 4, with the omission of the words "by name."		
	Ludhiana-Maler-Kotla Frontier near Lacche-Baddi.							
	Maler-Kotla Frontier near Jakhal.	Patiala. Nabha, Jind.						
	5. Rajputana Bhatinda Railway.		The Deputy Commissioner, Ambala.					
	Rajpura-Dhuri.	Patiala. Nabha, Patiala.	The Dy. Comr. Ludhiana.					
	Bhatinda.	Nabha.	...					
	6. Southern Punjab Ry.							
	<i>Main-line</i>	Patiala.	The Dy. Comr. Ferozepur.					
	Gaddarbaha-Budhlada.	Patiala.	The Deputy Commissioner, Rohtak.					
Budhlada-Jind frontier near Uchana.	Jind.	...						
Jind frontier near Uchana								
Karainthi, Narwana-Kaithal Br.	Patiala.	The Dy. Comr. Karnal.						
E. I. Ry. System	7. Jullunder Doab Ry.	Kapurthala.	The Dy. Commissioner, Jullunder.	The Commissioner, Jullunder Division.	...	The Comr. Jullunder Division.		
	8. Phagwara-Rahon Ry.	Kapurthala.						
	9. Jind-Panipat Ry.	Jind.	The Deputy Commissioner Karnal.	The same as the first (top) entry in this column with the omission of the words "by name."	...	The same as the first (top) entry in column 4 with the omission of the words "by name."		

## 316 RULES RELATING TO RAILWAY LANDS, PUNJAB STATES.

4. *Foreign and Political Department notification No. 346-I dated the 2nd July 1924.*—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the Railway Lands specified in notification No. 345-I, dated the 2nd July 1924, and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf the Governor-General in Council is pleased to apply to the said lands (hereinafter styled "The Railway Lands") the enactments specified in the Schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India :

Provided, first, that in the enactments as so applied references to a local Government shall be read as referring to the Agent to the Governor-General, Punjab States, references to a High Court as referring to the High Court of Judicature at Lahore ; and except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the Railway lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Courts.

Provided, fourthly, that subject to the provisions of this notification, the Agent to the Governor-General may direct by what officer any authority or power under the said enactments shall be exercisable.

II. The notification of the Government of India in the Foreign Department No. 517 I. dated the 17th March 1913, so far as it has not already been cancelled, is cancelled hereby.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if the notification had not been issued but that, save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdiction or powers conferred or confirmed, notifications published, rules made, orders passed and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall so far as may be, be deemed to have been, respectively, commenced, appointed or authorized, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in the notification.

### SCHEDULE.

*Enactments applied.*

*Further modifications and restrictions,*

The Indian Arms Act, 1878, (XI of 1878).

After section 33 the following section shall be inserted.

34. Notwithstanding anything contained in this Act, the Governor General in Council may, by notification in the *Gazette of India*, apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules are for the time being subject in British India and with such modifications or restrictions, as may be specified in the notification, and any rules so applied shall have effect in the railway lands as if made under this Act.

5. *Foreign and Political Dept. Notn. No. 53-I, dated the 27th Jan. 1925.* In exercise of the powers conferred by section 34 of the Indian Arms Act, 1878 (XI of 1878) as applied to the Railway lands specified in the notification in the For. and Poll. Dept. No. 345-I dated the 2nd July 1924, the Governor-General in Council is pleased to apply the Indian Arms Rules, 1924, to the said lands subject to any amendment to which the said rules may be subject in British India, and subject also to the modifications specified in the first proviso to the notification in the For. and Poll.

Dept. No. 346-I, dated the 2nd July 1924, and to such further modifications, not affecting the substance, as may be necessary or proper to adapt the said rules to the said lands. The notification of the Govt. of India in the For. Dept. No. 851-D. dated the 28th March 1913, so far as it has not already been cancelled is hereby cancelled.

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LOCAL RULES AND ORDERS.—[DELHI]\*

1. *Notn. No. 690, dated the 1st Feb. 1915*, as amended by *Notn. No. 1973 dated the 25th March 1915*.—Under section 17 (c) of the Indian Arms Act, XI of 1878, the Chief Commissioner of Delhi has made the following additions to the rules published with the Punjab Govt. *Notn. No. 943, dated the 10th July 1907, (Page 303 ante.)*

To Rule IX add :—

NOTE I, Every second page of register forms B. and D is perforated for extraction.

The pages of these registers are numbered series of two consecutive pages bearing the same number, the second of which is perforated for extraction.

When a sale is completed it is entered on the first page of the series, a simultaneous entry on the second page being secured by means of carbon paper. When a page has been completed the perforated duplicate should be torn out and forwarded to the Superintendent of Police.

II. On receipt of a record of sale prepared in accordance with note I the Superintendent of Police should verify by personal investigation or by inquiry from Superintendent of Police or Political Agent within whose charge the purchaser resides, whether the weapon is in the possession of the purchaser, and whether he is lawfully entitled to possess it.

III. The purchase of arms by residents of Native States should be reported to the Personal Assistant to the Chief Commissioner of Delhi by letter on the day on which the purchase is made. The letter should state the name and residence of the purchaser and the name of the Native State in which he resides.

2. *Letter No. 1072, dated the 29th Feb. 1924*.—The Chief Commissioner is pleased to lay down the following standard for the reasonable amount of **ammunition** which may be possessed by persons licensed to possess firearms in the Delhi Province :—

- |   |                       |
|---|-----------------------|
| (1) In the case of short guns or .22 bore or target rifles— | No limit.             |
| (2) In the case of revolvers ... ..                         | 100 rounds.           |
| (3) In the case of rifles ... ..                            | 200 rounds per rifle. |

(2) Any person who can prove that he needs more than 100 rounds for a **revolver** or 200 rounds for a **rifle** may be given a licence for a larger number at the discretion of the District Magistrate.

(3) At the time, of the purchase of **revolver and rifle ammunition** the licence should invariably be produced.

3. Lead bullets, bird-shot and sulphur.—*Vide* note (30) to Schedule II, page 140.

4. Registration of arms by exempted.—*Vide* note (3) on page 81,

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## BIHAR AND ORISSA RULES AND ORDERS.

1. Rules under section 16 of the Act.—*Vide* page 182.
2. Form prescribed under the above Rule.—Similar to Bombay form on page 179.
3. Letter No. 428—32-P., dated the 15th July 1920.—With reference to the correspondence resting with your letter No. \* \* \* dated the \* \* \* December 1916, I am directed to say that the Local Government have considered the following questions :—

(1) The reasonable quantities to be prescribed as the limits on the possession of arms by persons of approved character and status as defined in paragraph 4, sub-clauses (4) and (6) of the Resolution of the Home Dept. no. 2125-C., dated the 21st March 1919, (page 1). Whether different limits should be prescribed for different classes included within that description.

(2) The Lieutenant-Governor in Council has decided that one rifle and one shot gun is a reasonable quantity for all applicants. The maximum quantity of ammunition to be possessed by the licensee at one time will be 1,000 for shot gun and 100 cartridges for ball. He does not consider that different limits should be prescribed for different classes included in the category of persons of approved character and status, but the grant of licences in excess of this limit should be left to the discretion of the District Magistrate. The District Officers may be informed that they are expected to use their discretion in each case so that the number of arms or quantity of ammunition for which a licence is given to any applicant may not be clearly in excess of what is reasonable in view of his circumstances and position in life. The Local Government think that before licences for more than two rifles or four shot guns are granted by the District Officer the matter should be specially reported to the Commissioner so that he may be in a position to check any indiscreet use of his powers by a District Officer.

(3) As regards revolvers and pistols the attention of all District Officers should be specially invited to paragraph 4 (7) the Home Department Resolution mentioned above (page 3). It should be clearly understood that licences for revolvers and pistols are not to be issued to all applicants who are of approved character and status but only to those who can show circumstances of real necessity. District Officers should not hesitate to refuse applications for such licences when they consider that the necessity for the possession of such weapons has not been established.

4 Notn. No. 400-P. dated the 20th July 1921.—Under the proviso in column 3 of item 1 of Schedule II the prohibitions and directions contained in section 5 of the Indian Arms Act, 1878, are imposed in respect of swords, sword-sticks and daggers in all districts in the province and it is declared that no person in any district within the province shall manufacture, convert or sell or keep, offer or expose for sale the said weapons, except under a licence and in the manner and to the extent permitted thereby. Provided that this notification shall not prevent any person from selling any sword sword-stick or dagger which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same.

5 *Cir. No. 4236-40 P., dated the 27th July 1921.* (1) I am directed to refer to the correspondence resting with your letter No. \* \* \* dated the \* \* \* on the subject of the **registration of rifles, revolvers and pistols** in the possession of person exempted under Schedule I of Indian Arms Rules, 1920.

(2) The Local Government have decided that such persons should be required to **register annually all rifles, revolvers and pistols** in respect of which they are exempted. A copy of an order giving effect to this decision is enclosed. A copy of the order should be sent by the District Magistrate to each exempted person in his district. At the same time he should explain to them the reasons why Government consider registration to be essential. These reasons are that in the event of a revival of anarchical conspiracies it would be necessary to know where arms are which would be useful to disaffected persons and would be in danger of being seized by them. Further it will be easier to trace the history of a stolen arms which may be found with revolutionaries, and in the case of a serious outbreak the authorities will be in a position to know what resources they have in the way of effective firearms in possession of persons of undoubted loyalty.

6. *Order dated the 27th July 1921*—Under proviso (b) of subsection (1) of rule 3 of the Indian Arms Rules, **every person exempted** under the provisions of Schedules I of the said rules **shall register** in the manner described below all **rifles, revolvers and pistols** in respect of which he is exempted from the operation of any provision of the Indian Arms Act, Every such persons shall, between the 1st of November and the 31st of December in each year, submit to the District Magistrate of the district in which he is ordinarily resident a return in the annexed Form containing particulars of all such rifles, revolvers and pistols.

Name, address and profession of owner. Titles if any	Description of weapon.	Bore of weapon.	Maker's name.	Number of weapon.	Year of model or make if available.
	A. Rifle-repeater, Magazine. Single or double barrel. B. Revolver, No. of Chambers. C. Pistol, Automatic, or single shot.				

7. **Power of District Magistrate of Dhanbad Sub-division.**—*Vide note to Rule 2, page 80.*

8. *Cir. No. 2283-88-P., dated the 29th March 1924.* para 7.—I am also to invite your attention to the addition made to condition 11 in licence Form XVI, in accordance with proviso (c) to rule 42 (3) of the new rules, under which a **licensee** may in case of any **change of his residence get the licence renewed** by the nearest licensing authority, if renewal becomes necessary. In case of such renewals the renewing authority is required, under the rule, to report to the authority who granted the licence the fact of renewal and the period of its validity. No provision has however, been made in the rules for keeping the renewing authority informed of any subsequent changes of address, in the event of the licence-holder removing to another place, after renewal. The Governor in Council desires



that there should be such an additional check, so that the register of arms possessed within the jurisdiction of a licensing authority may be maintained as accurately as possible, I am accordingly to request that the granting authority should also be instructed to report any information secured as to change of residence to all subsequent renewing authorities, of whose existence the former will necessarily be aware.

9. *Cir. No. 2518-23-P., dated the 9th April 1924.*—I am directed to refer to Mr. Shearer's letter No. 4236—40-F. dated the 27th July 1921, regarding the **registration of rifles, revolvers and pistols** in the possession of exempted persons, and to say that the Governor in Council has now been pleased to decide that such registration should in future be extended to all firearms in the possession of persons exempted under Schedule I to the Indian Arms Rules, 1924. His Excellency in Council consider that it would suffice if every exemptee were required to furnish the District Magistrate with information as to all the firearms in his possession.

(2) I am to say that in order to make the system effective it will be necessary for the District Magistrate to send the Form prescribed in the letter under reference by the 1st of November each year to each exempted person in their districts requiring him to return it duly filled up before the 31st December. It will probably save trouble, if the first return were submitted by exemptees in duplicate and one copy were sent out by District Magistrates to them merely for correction in subsequent years.

10. *Cir. No 2512-12-P., dated the 9th April 1924.*—In continuation of paragraph 6 of my Circular No. 2283—88-F., dated the 29th March 1924, regarding the administration of the Indian Arms Act, 1878, and in supersession of the orders contained in Mr. Shearer's letter No. 1454—58-P. R. dated the 13th September 1921, so far as they relate to the limitation of the **quantity of ammunition to be possessed by licensees**, I am directed to say that the Governor in Council has now been pleased to decide that **no limit of ammunition** should be fixed in the case of **shot guns, '22 bore or target rifles**, but that in the case of **revolvers a limit of 100 rounds** and in the case of **rifles a limit of 200 rounds** per weapon should be ordinarily fixed. His Excellency in Council leaves it to the discretion of licensing officers to exceed these maxima in exceptional cases when the applicant can prove to the satisfaction of the licensing officer that he actually needs a larger number. I am to request that the orders may be communicated to all licensing authorities.

11. *Letter No. 90—94-P. T., dated the 20th April 1925.*—I am directed to refer to the Hon'ble Mr. Hammond's letter No. 2518—23-P., dated the 9th April 1924, and to say that the local Government have decided that persons who hold life **certificates of exemption** should be required to furnish the District Magistrate with information regarding the firearms in their possession in the same way as other exemptees.

12. *Letter no. 3022-42 P. dated the 20th April 1925.*—I am directed to say that it has been brought to the notice of the local Government that licenses granted in Forms XIII, XVI, XVIII and XIX covering

rifles and pistols frequently do not contain a sufficient description of the weapon for which the licence is granted. In particular it is essential that when a Magistrate grants a licence for a single barrel rifle or pistol, he should make it plain on the licence whether the weapon is a repeating or automatic rifle or an automatic pistol. The omission of such details involves unnecessary correspondence. I am accordingly to request that you will have the description of the weapon clearly specified in the appropriate column of all licences issued by you in future.

13. *Letter no. 3231-P., R. dated the 25th September 1925.*—I am directed to say that in modification of the orders contained in para. 7 of letter No. 2283—88-P., dated the 29th March 1924, the Governor in Council has decided that when the holder of a licence in Form XVI of the Indian Arms Rules, 1924, changes his address permanently he should, after the expiry of the existing licence, be granted a fresh licence in the new district where he resides and should not continue to be borne in the register of licensees of the district he has left. The Magistrate of the district in which the fresh licence is granted will then be in the position of the granting authority for the purpose of checking renewals. The licensee will, however, pay the renewal fee only on his fresh licence. A counterfoil register should be maintained in the annexed Form\* by each licensing authority and when such a licence is granted intimation should be given to the office of the original issue for cancellation of the counterfoil maintained in that office. If any doubt arises as to the permanent change of residence the criterion shall be that when a licensee presents his licence for renewal for a second time in a district other than that in which it was granted he shall be held to have taken up permanent residence in that district.

Counterfoil.

\*Form No. XVI.

(Rule 33),

Serial No.....Licence for the possession of arms and ammunition and for going

sport

armed for the purpose of protection.  
display

Serial number of licence.

Name, description and residence of licensee and agent, (if any).

Arms or ammunition that licensee is entitled to possess.

{Description—

{Quantity—

Retainers (if any) covered by the licence.

{Name of retainer—

{Name of retainer's father—

{Address of retainer—

{Arms or ammunition that

{retainer is entitled to

{possess.

{Description—

{Quantity—

District or place within which the licence is valid

Date on which the licence expires.

(Signature)

The ..... 19 . }

Magistrate of the ——— District.

*Form for the renewal of the licence. \**

Date and year of renewal.	Date on which the renewed licence expires.	Signature of the Magte. of the District.	Date and year of renewal.	Date on which the renewed licence expires.	Signature of the Magte. of the District
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14. Letter no. 3162-67 P. R. dated 7th October 1926.—I am directed to refer \* \* \* \* and to communicate the following instructions with reference to conditions 2 and 7 in licence Forms IX and XII of the Indian Arms Rules, 1924.

(i) Each licensee shall maintain a register of sale of all arms ammunition and military stores in Form A.

(ii) Each licensee shall submit in Form B, a monthly return of all sales, to the District Magistrate, through the Superintendent of Police.

(iii) Each licensee shall report to the District Magistrate, through the Superintendent of Police in Form C, on the day of sale, all sales of rifles, pistols and revolvers, and of rifle cartridges in excess of 25, of pistol and revolver cartridges in excess of 50, and of smooth-bore cartridges or cases in excess of 500.

(iv) If sales of any arms or ammunition are made to persons not resident in the district in which the licensed dealer resides, he shall report within three days the sale in the form in Annexure C to the District Magistrate of the district in which the purchaser resides. The dealer shall also keep a duplicate copy of the report and shall submit it to the District Magistrate of his district, through the Superintendent of Police, with the monthly return of all sales prescribed under condition (ii).

*Note*—The report must be made of all arms and ammunition irrespective of the quantity sold. If the arms of the nature specified in condition (iii) or if the ammunition is of the quality prescribed in that condition an immediate report must be made as prescribed in this condition.

(2) The Superintendent of Police will verify all sales reported under item (iii) above, and will note the verification done on each sale report before forwarding it to the District Magistrate. It is unnecessary to verify other sales, or the monthly returns (which are to be forwarded to the District Magistrate).—(3) The monthly returns should be totalled up for each licensee at the end of the year, and the totals entered in a district statement. The actual monthly returns should be preserved for two years only.—(4) the forms will be standardized, after which printed copies may be obtained, on indent, from the Deputy Superintendent, Government Printing in charge of the Press, and Forms Department at Gaya, in ordinary course. They should be supplied to all licensees free of cost.

**Schedule III.—Executive Form No. 175.—A.—Sale Register.**

Date.			Name and father's name of purchaser and residence.			Number of licence.			NUMBER OF FIREARMS SOLD.										AMMUNITION.										MILITARY STORES.													
			Single barrell.			Double barrell.			Breech-loading.			Muzzle loading.			Rifles.			Combined rifle and shot-gun.			Revolvers.			Pistols.			Number of other arms sold.			Other Weapons.			Loaded cartridges. (Bore number to be shown under each entry and column added to show in addition whether ball S. S. G. or shot purchased)									
			Single barrell.			Double barrell.			Bore.			Single barrell.			Double barrell.			Bore.			Number.			Bore.			Number.			Swords.			Daggers.			Sword-sticks.						

Schedule III, Executive Form No. 176-B.

Return of the stock and sales of arms, ammunition and military stores

Month—Year—

DESCRIPTION OF ARMS, AMMUNITION AND MILITARY STORES. S. B.=Single-Bar- relled. D. B.=Double-Bar- relled. M. L.=Breech-Load- ing. B. L.=Muzzle-Load- ing.	Number and quantity in stock at the end of previous month.	Number and quantity on import by sea direct during the month.	NUMBER AND QUANTITY PURCHASED IN INDIA DURING THE MONTH.		Number and quantity manufactured locally, during the month.	Total (columns 2, 3, 4, 5 and 6.)	NUMBER AND QUANTITY SOLD—		Total	Number and quantity in hand at the close of the year (Col 7-Col 10.)
			From pri- vate indi- viduals.	From dealers.			To pri- vate indi- viduals.	To dealers.		
1	2	3	4	5	6	7	8	9	10	11
(a) Fire-arms :— Rifles :— (i) S. B. ... (ii) D. B. ... (b) Guns :— (i) S. B. M. L. ... (ii) D. B. M. L. ... (iii) S. B. B. L. ... (iv) D. B. B. L. ... (c) Combined Rifle and shot-gun ... (d) Revolvers ... (e) Pistols ... (f) Other arms :— Swords ... Daggers ... Sword-sticks ...  (c) Ammunition— Loaded Rifle cart- ridges ... Loaded cartridges for guns ... Loaded cartridges for revolvers and pistols ... Empty cartridge cases ... Gunpowder ... Percussion caps ... (d) Military stores :— Sulphur ... Leadens Bullets ... Leadens Bird-shot...										

Date

Signed

Licensee

To

The District Magistrate of—  
Thro' The Supdt. of Police—

SCHEDULE III. EXECUTIVE FORM NO. 177.—C.—

Patna, \_\_\_\_\_ 192

From \_\_\_\_\_

To \_\_\_\_\_  
The District Magistrate \_\_\_\_\_ (Through the Superintendent of Police.)

Sir, We sold on the \_\_\_\_\_ to (name and father's name) \_\_\_\_\_,  
(residence) \_\_\_\_\_ holder of licence no \_\_\_\_\_ granted by the District  
Magistrate \_\_\_\_\_ the following <sup>arms</sup> ammunition

(i) Arms :—

Kind of arm \_\_\_\_\_

Description (including bore).

(ii) Ammunition :

Number  
Cartridges (loaded) \_\_\_\_\_  
(unloaded) \_\_\_\_\_

Bore, (Mention whether rifle, revolver,  
pistol or shot gun)

Yours faithfully,

Signature of dealer.

\_\_\_\_\_  
No.

Office of the Superintendent of Police.

Forwarded to the Supt. of Police \_\_\_\_\_ for favour of verification and return.

2. It is requested that this reference be forwarded to the authorities concerned  
if the purchaser has left the jurisdiction.

\_\_\_\_\_  
Signature.

Supt. of Police.

\_\_\_\_\_

NORTH-WEST FRONTIER PROVINCE—LOCAL RULES AND ORDERS.

1. *N.-W. F. P.—Cir. no. 1048—52-G., dated the 19th March 1923.*—The Government of India has requested the Chief Commissioner to issue orders that licences for **pistols and revolvers** should be given only in cases of real necessity and to persons of approved character. You are requested to act accordingly.

2. *Letter no. 711—15-G.-N., dated the 21st July 1920.*—(1) The Chief Commissioner has issued the **following instructions** for guidance on the question of the licensing of **privately owned rifles**.

(2) Under the most recent orders of the Government of India embodied in notification no. 1296 of 9th July 1920, it would appear that District Magistrates are now legally empowered to issue **licenses for rifles** without reference to higher authority. The Chief Commissioner, however, considers it important that there should be some central check on the issue of such licences and desires that, in future, lists of all persons to whom it is proposed to grant **licences for rifles** shall be referred to him by District Magistrates before they are actually issued.

(3) This has been the practice generally in this Province but certain special rules were made for the districts of Bannu and Dera Ismail Khan. In 1916 owing to the disturbed state of the Border, Sir George Roos-Keppel empowered the Deputy Commissioners of Bannu and Dera Ismail Khan to grant licences without previous reference to him for the possession of rifles, provided that they were purchased from across the border or from Powindahs in the districts by persons of good standing who would execute a written undertaking for their proper custody. In this office letter no. 210-B. of the 23rd December 1918, however, Sir George expressed a wish that the number of licences so granted should be considerably reduced, but the general authority for District Magistrates to issue such licences without reference to the Chief Commissioner was not definitely revoked. The present letter is to be considered now as definitely revoking the special authority given in the Bannu and Dera Ismail Khan Districts, and the issue of **licences for rifles** will require the Chief Commissioner's sanction throughout the whole province. At the same time all licences granted prior to the issue of this letter will be considered valid.

As regards **rifle ammunition** clause 6 of the conditions attached to licences in Form XIII, [now Form XVI], for the possession of arms, lays down that the holder shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local government. No maximum, however, has as yet been fixed. It should now be treated, in the case of rifles, as 50 rounds per rifle, and this figure should be endorsed by the District Magistrate on licences. This endorsement will give authority for one purchase only, and it will be for District Magistrates to add a fresh endorsement on the application of the holder if he can satisfy them that his former stock has been legitimately expended. \* \*

[On the analogy of the policy accepted by the Government of India in paragraph 10 of their Resolution No. F-829-1-22, dated the 3rd November 1923, in regard to arms to be purchased in India, a licence for possession, in Form XVI, should also be

granted as soon as permission is given to purchase a fire-arm from across the Border. With a view to particulars of the weapon being entered in the licence, the licensee should be required to produce his weapon before the District Magistrate within one week of taking possession thereof. (Order dated 7th January 1924).

(4) It has been reported to the Chief Commissioner that there are a large number of unlicensed rifles in the hands of villagers in the more exposed tracts of the frontier, and the question of dealing with the situation has been specifically referred to the Deputy Commissioner, Bannu. Sir Hamilton Grant considers that it would be most inadvisable at the present time to initiate prosecutions for the illegal possession of these weapons. Any action of this sort would provoke the criticism that while we fail adequately to protect British subjects in our districts, we preclude them from possessing the means of protecting themselves especially at a time of unprecedented tribal lawlessness. He considers that the best policy will be for Deputy Commissioners to make it widely known in their districts, by whatever means they consider best, that all **unlicensed rifles** must be reported and licensed within a definite period, which might be fixed at one month. The people should be given to understand that unless there are very special reasons to the contrary, no obstacles will be put in the way of these **rifles being licensed**, but that if these instructions are deliberately disregarded, this question of prosecutions will be taken up on the expiry of the period. The Chief Commissioner, however, does not wish to fetter the discretion of Deputy Commissioners in this respect, especially as the conditions of each district are widely divergent, nor has he any wish to press for immediate action in this matter, if this appears inopportune and likely to lead to trouble. It would seem probable indeed, that the problem of unlicensed rifles exists in any serious form only in the Kohat and Bannu Districts. No action therefore should be taken upon the instructions conveyed in the paragraph, unless Deputy Commissioners are of the opinion that the special circumstances of their districts demand it. In any case the Chief Commissioner is averse from wholesale prosecutions under the Arms Act, and whatever the result of the action now suggested may be, he trusts that wholesale prosecutions will not be undertaken without previous reference to him.

3. *Memo. no. 3010-30-G. N., dated the 28th Sept. 1920.* \* \* \* The **applications from British Officers** for licences for their sporting rifles and ammunition for the same need not be referred to the Chief Commissioner.

4. *Home Dept. no. 2202, dated the 4th Novr. 1920.* \*\*\* A fee of 8 annas should be levied on a licence granted for the whole of the North-West Frontier Province; and the **rates of fees laid down** in clause (c) [8 annas in the case of (c) *iii*] of the heading of Form XVI, on licences granted for the whole of British India. \* \* \* \* \*

5. *Extract, para 2, from Home Dept. letter no. 1336, dated the 18th June 1921.* \*\*\* 2. It has now been represented to the Government of India that in the case of **rifle ammunition** inconvenience may be caused by the fixation of a rigid scale. It has been suggested, for instance, that no regard is paid to the size of the cartridge and that a little .22<sup>rim</sup> fire rifle, which is used by ladies to shoot at targets

at a rifle club, is rationed to the same extent as an elephant gun or a .8 bore rifle. Further, it has been suggested that the fixation of a rigid limit might cause inconvenience to a sportsman starting on a shooting expedition who wished to take with him a stock of both hard-nosed and soft-nosed bullets to be fired from the same weapon. The Government of India are not aware how far these criticisms are justified but they would be glad if the suggestions could be taken into consideration at an early date with a view to the removal of any anomalies that exist.

6. *N.-W. F. P. no. 2986-90. G.-N., dated the 9th Aug. 1921.*—The Chief Commissioner has decided that as regards **rifle ammunition**, the previous instructions contained in paragraph (3) of Mr. Pipon's letter No. 711-15, dated the 21st July 1920, will continue to hold good but he wishes to emphasise the importance of a thorough enquiry in each case. The Chief Commissioner is not satisfied that the restrictions against accumulation of ammunition from year to year are being rigorously enforced in all Districts, and, in this connection, directs attention of all District Magistrates to the headings of columns 3 and 4 of licence form XVI of the Rules of 1924. District Magistrates are, however, empowered to exercise their discretion in regard to ammunition for small bore rifles, for example .22 bore which are used for target shooting; or, in the case of a sportsman starting on a shooting expedition who wishes to take with him a stock of both hard-nosed and soft-nosed bullets, when a maximum of 50 rounds might obviously be inadequate. (2) As regards revolver ammunition, the Chief Commissioner wishes a maximum of 50 rounds per annum covered, of course, by maximum possession of 50 rounds to be fixed. (3) Cartridges for shot-guns may be allowed in such number as the District Magistrate may consider desirable in each case.

7. *N.-W. F. P. cir. no. 48-110 G., dated the 4th January 1922*, to all Local Governments and Administrations, Residents, Agents to Governor-General and to Deputy Commissioners in the N.-W. F. P.—I am directed to say that under sub-rule (3) of Rule 33 of the Indian Arms Rules, 1924, the Administration of the North-West Frontier Province has imposed the following **restrictions on the validity** in the North-West Frontier Province, of **licences** which have been made valid for that Province by licensing authorities in other provinces, namely:—Licences issued in other provinces in India or Burma, which have been made valid for the North-West Frontier Province by licensing authorities there shall be in force in the North-West Frontier Province only when such licences have been countersigned by the District Magistrates of the Districts into which the arms are imported, and shall be valid, in each case, only for such area in the North-West Frontier Province as may be prescribed by the countersigning authority.

8. *N.-W. F. P. letter no. 297-5308- G., dated the 30th March 1922*, to all Local Governments and Administrations (except Punjab).—I am directed to request that if there be no objection, you will kindly arrange to supply, with as little delay as possible, to the following officials of this Province details regarding all future **sales of arms**



**or ammunition** made to persons residents of the North-West Frontier Province :—

In the case of residents of British Districts, <i>viz.</i> , Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan. }	To the Superintendent of Police concerned.
In the case of residents of the Indian States of Amb and Phulera. }	To the Deputy Commissioner, Hazara District, Abbottabad.
In the case of residents of the Indian States of Chitral and Dir. }	To the Political Agent, Dir, Swat and Chitral Agencies, Malakand.

I am further to request that, in the event of there being no objection to the above request copies of any instructions issued in this connection may kindly be sent to this office for information and record.

NOTE.—A list of all the Local Governments who have agreed to report the sales, is printed below :—

Chief Commissioner, Ajmer-Merwara.	Agent to the Governor-General in Central India.
Government of Assam,	Government of the Central Provinces.
Chief Commissioner Baluchistan.	Chief Commissioner, Delhi.
Government of Burma.	Government of Madras.
Government of Bengal.	Agent to the Governor-General in Rajputana.
Government Bihar and Orissa.	Government of the United Provinces.
Government Bombay.	

NOTE.—The Punjab Government also follows the desired procedure, *vide* their Notification No. 1449, dated the 1st November 1915, republished on page 304.

9. *N.-W. F. P. cir. memo. no 11688-G., dated the 11th Dec. 1923.*—  
\* \* \* I am directed to convey the following instructions and remarks with regard to the Indian Arms Rules, 1924:—

(1) It will be seen that the Arms Rules come into force on the 1st January 1924.

The number of many of the **forms have been changed** and also, to some extent, the forms themselves, and the conditions printed on the forms. This applies particularly to the forms most commonly used in the North-West Frontier Province, *viz.* old Form XIII, [now Form XVI,]—“License for the possession of arms and ammunition and for going armed for the purpose of <sup>sport</sup> protection.”—It is feared <sup>display</sup>

that it will not be possible for a stock of the revised forms to be issued by the 1st January as desired by the Government of India. But under Rule 49, licences under the Rules of 1920, can be renewed so far as they are not inconsistent with the new rules. Existing licences should be renewed, pending receipt of the revised forms.

(2) It will be noticed that the acquisition and **carrying of pistols or revolvers** of 450 bore has been much tightened up (Rules 7, 33 and 34) and that ammunition for the same will not be obtainable except from selected dealers (Rules 38). Ordinarily the import of 450 bore revolvers will be absolutely prohibited (*vide* the Committee's recommendation in paragraph 26 of their Report accepted by the Government of India in paragraph 17 of the Resolution (pages 11 and 24.) In this connection District Magistrates are reminded that under orders (H. D. no. 386, dated the 1st March 1920), which are still in force, licences for pistols and

revolvers of all kinds should be issued only in cases of real necessity.

(3) <sup>Rule 3</sup>  
<sup>Schedule I</sup>—Para. 5 of the Government of India Resolution of 3rd Novr. 1923—

(i) Under proviso (b) to Rule 3, **exempted persons must register**, in such manner as the Local Government may prescribe, their **firearms and ammunition**. (ii) No fee will be charged for such registration (para. 5 of the Resn. of 3rd Novr., 1923). (iii) An exempted person must at once report the loss or theft of *any* arm in respect of which he is exempted, *i.e.*, although an exempted person is not required to register the possession of a dagger, he is bound to report the loss or theft of a dagger. (iv) The Chief Commissioner directs that every exempted person shall furnish the District Magistrate by the 31st of March 1924, with particulars as to the firearms and ammunition in his possession, failure to do so rendering him liable to the cancellation of his exemption. (v) The Chief Commissioner directs further that future purchases of firearms and ammunition shall be reported to the District Magistrate within one week of the purchase. (vi) The purchase of firearms will be subject to the maximum prescribed by the Local Government.

(4) Schedule I.—Para. 6 of the Resn.—Under the Rules of 1920, **persons included in entries 11, 11-A, 11-B and 12 of Schedule I are ordinarily exempt from taking out a licence**. The four entries just specified have been excluded from the Rules of 1924. Entries 11-B and 12 do not concern the North-West Frontier Province. As regards entries 11 and 11-A which include **holders of titles**, etc., conferred before the 1st January 1920, particular attention is invited to the orders requiring application for a life licence to be made before the 1st July 1924. All persons in your district known by you to be included in entry no. 11 should be informed of the orders and should make their applications without delay. As soon as forms are available, the requisite life-licences should be issued.

\* \* \* \* \*

(5). Para 7 of the Resn.—The following are *prima facie* **qualifications for the grant of a licence** without preliminary enquiry :—

(a) payment of Rs. 500 land revenue; (b) any payment of income-tax; (c) in the case of Government servants, pay of Rs. 100 per mensem or more; but the District Magistrate has full power to order enquiries if he thinks fit. The determination of the agency for such enquiries is left to the Local Government. The Chief Commissioner sees no reason to depart from the present practice whereunder such enquiries as may be required, are ordinarily made by the Police.

(6). Rule 33 (3).—All District Magistrates are reminded of the orders conveyed in Chief Commissioner's Office letter no. 84-110-G., dated 4th January, 1922, reproduced below for facility of reference :—

Licences issued in other provinces in India or in Burma, which have been made valid for the North-West Frontier Province by licensing authorities, there shall be in force in the North-West Frontier Province only when such licences have been

countersigned by the District Magistrates of the districts into which the arms are imported, and shall be valid, in each case, only for such area in the North-West Frontier Province as may be prescribed by the countersigning authority.

(7). Rule 40 (i)—Attention is invited to the proviso to Rule 40 (i) which requires that in the case of **persons subject to the Indian Army Act, 1911**, application for any kind of licence shall be made, not to the District Magistrate of the District in which the applicant happens to be serving, but to the licensing authority of the applicant's permanent place of residence.

(8). Rule 43 (i)—The proviso to Rule 43 (i) is new and provides that in any case in which the grant or **renewal of a licence is refused**, the applicant may appeal to the immediate official superior of the authority refusing the grant or renewal. Separate instructions will follow with regard to appeals under the proviso just referred to. (*Vide* para 10 on page 331).

(9). Second portion of para 9 of the Resn. (*i. e.* where paragraph 13 of the Committee's Report is referred to).—The intention of the orders of the Government of India is not altogether free from doubt. The Chief Commissioner desires the continuance of the present practice whereunder the first year of the **currency of any licence** is taken to expire with the end of the calendar year in which the licence is granted. Thus, if on the 6th June 1924, the District Magistrate accepts an application for a licence for going armed, and the applicant is not prepared to wait until the 1st January 1925, and desires the immediate issue of his licence, then the first year's currency of the licence will expire on the 31st December 1924.

(10). Para 20 of the Committee's Report read with paras 13 and 14 of the Resn.—(1) Although ordinarily only the District Magistrate can sanction a licence in the first instance, any **Sub-divisional Magistrate can renew a licence** and the arms need not be produced at the time of renewal. Particular attention is invited to the fact that a licence can be granted or renewed for a period of three years and in order to save clerical labour and also unnecessary trouble to the licensee, the Chief Commissioner directs the initial grant or the renewal should ordinarily be for three years. In the North-West Frontier Province the fee will in that case be three times the annual fee (*vide* Para. III of Licence Form XVI, page 168).

The above rules should not be allowed to interfere with the periodical check of the arms themselves which is required to be carried out by the Police. The District Magistrate has full powers to require the production of arms at any time or place. (2) Where a licence has been issued in another district, the licensing authority should be informed of the fact of renewal. (3) Licences can be applied for by post and can also be sent for renewal by post. (4) It will be seen from rule 33 (i) (b) that a licence in Form XVI (*cf.* para (1) above) can be granted only by the District Magistrate or by Sub-Divisional Magistrate specially empowered by the Local Government.

(11). Para 14 of the Resn.—The **fees payable** for each licence are stated on the Forms concerned. Payments can be made in non-judicial stamps or in cash, as the applicant prefers.

(12) Para. 16 of the Resn.

Para. 23 of the Report.—The Government of India orders are that applications for **licences and renewals** shall be dealt with promptly. Accordingly in supersession of the instructions conveyed in this office memorandum no. 10006-10-G. dated the 10th November, 1923, recommendations requiring the Chief Commissioner's sanction should be submitted quarterly (*viz.* as soon as possible after the 1st Feb., 1st May, 1st Aug. and 1st Nov.) instead of every six months.

(13). Para 18 of the Resn.—Where it is desired to include in the licence a **female member** of the licensee's family, the lady should be entered as a "retainer."

10. *Memo. no. 1230-84-G. dated the 24th Dec. 1923.*—With reference to para (8) of this office circular memo no. 11688-92-G. dated the 11th Dec. 1923, I am to convey the following instructions with regard to **appeals** preferred under the proviso to Rule 43 (1) of the Arms Rules, 1924. Pending the receipt of any general orders which may hereafter be received from the Government of India, the Chief Commissioner directs as follows :—

(1) For the purposes of the Arms Rules, the immediate official superior of a Sub-Divisional Magistrate is the District Magistrate, and the immediate official superior of the District Magistrate is the Chief Commissioner. (2) The period allowed for preferring an appeal to the District Magistrate or to the Chief Commissioner shall in each case be 30 days from the receipt of the intimation of the refusal to grant or renew the licence in question. [This period is prescribed on the analogy of appeals under the Income-tax Act (XI of 1922), *vide* sections 30 (2) and 32 (1) of that Act].

11. *Memo. no. 605 09-G., dated the 15th Jany. 1924.*—With reference to para 7 of the Government of India resn. no. F-829-1-22, dated the 23rd Nov. 1923, the Chief Commissioner directs that where there is any doubt with regard to the **means and status** of an **applicant for a licence for a rifle**, and where it is none the less desired for other reasons, such as with a view to village defence to grant the licence applied for, the District Magistrate may, before granting a licence, require the applicant to furnish security to the extent of Rs. 300 that the rifle will not be sold without permission either within or across the border, and will not be used for any unlawful purpose. Subject to the above instructions, circular no. 6 dated the 3rd March, 1910, should be regarded as cancelled.

12. *Memo. no. 610-14-G., dated the 15th Jan. 1924.*—With reference to Rule 33 (2) (a) of the Indian Arms Rules, and in supersession of notification no. 1181-G., dated the 24th March 1920, the Chief Commissioner directs that ordinarily a licence shall be issued only for the District in which the licensee resides. But the District Magistrate personally can, for sufficient reasons, make any such **licence valid throughout** the North-West Frontier Province or throughout British India. In the latter case care must be taken to see that the requisite enhanced licence fee has been paid.

13. *Notn. no. 615-G., dated 15th Jan. 1924.*—In exercise of the powers conferred by condition 3 of form XIV and condition 9 of form XVI of Schedule VIII of the Indian Arms Rules, 1924,

the Chief Commissioner is pleased to authorise District Magistrates in the North-West Frontier Province to **cancel**, where necessary, **condition 2 (ii) of licence form XIV** and **condition 8 of licence form XVI** which prohibit the possession of Government arms and ammunition. Notn. no. 1930-G., dated the 29th April 1920, is hereby cancelled.

14. *Notn. no. 622-G., dated the 15th Jan. 1924.*—In exercise of the powers conferred by Rule 37 (1) (b) of the Indian Arms Rules, 1924, the **Sub-Divisional Magistrates of Mardan, Nowshera and Charsadda** sub-divisions are empowered to grant licences for going armed on a journey in or through any Province in form XX. Notification no. 2179-G., dated the 15th May 1920, is hereby cancelled.

15. *Notn. no. 624-G., dated the 15th Jan. 1924.*—Notification no. 468-G. N., dated the 8th July 1920, empowering the Sub-Divisional Magistrates of the Mardan, Nowshera and Charsadda sub-divisions to grant licences, in certain forms for the possession of arms and ammunition under the Indian Arms Rules of 1920, is hereby cancelled.

16. *Notn. no. 626-G., dated the 15th Jan. 1924.*—Notn. no. 834-G. N., dated the 2nd August 1920, and notn. no. 347-G., dated the 10th January 1921, being inconsistent with the instructions conveyed in paragraph 7 of resolution no. F-829-1-22, dated the 3rd November 1923, of the Government of India, are hereby cancelled. The Chief Commissioner hereby accepts the recommendations made by the Government of India in paragraph 7 of the resolution, (page 21).

17. *Notn. no. 627-G., dated the 15th Jan. 1924.*—See note (29) to Schedule II on pages 139–140.

18. *Notn. no. 628-G., dated the 15th Jan. 1924.*—Notn. no. 5324-G., dated the 30th March 1922, regarding the **scale of exempted arms and ammunition** in case of persons exempted under entries 11 and 11A of Schedule I of the Indian Arms Rule, 1920, is hereby cancelled as entries 11 and 11A have been excluded from the Rules of 1924.

19. *Notn. no. 629-G., dated the 15th Jan. 1924.*—Notn. no. 7103-G. dated the 2nd May 1922, is republished below for general information:—All registers and instructions prescribed therein under the Indian Arms Rules of 1920, shall now be deemed to be prescribed under the corresponding provisions of the Rules of 1924.

*Notn. no. 7103 G. dated the 2nd May 1922.*—The following rules have been made by the Chief Commissioner under the Indian Arms Act 1878 (XI of 1878) and under Government of India resolution no. 1, dated the 1st January 1920.

#### RULES UNDER THE INDIAN ARMS ACT, 1878, (XI OF 1878).

(1) *Vide Note (7) to section 6 of the Act* page 47.

(2) " " (6) " " 25 " " 71.

(3) " " (3) " " 30 " " 75.

*Stock books and account books to be kept by licensed manufacturers and dealers.*

(4) All persons holding licences to manufacture, convert, keep and sell arms, ammunition or military stores shall keep up stock books and accounts of receipts and issues in forms A and B, appended to these rules, and all persons holding licences to keep or sell arms, ammunition or military stores shall maintain stock and account books in forms C and D. The pages of these books are to be numbered and before any entries are made the books shall be exhibited together with the manufacturer's or dealer's licence to the Magistrate of the District or to a Subordinate Magistrate. Such Magistrate will sign the first and last pages of each book and seal them with his official seal. Notn. no. 2609-G. N. dated the 27th August 1920, is hereby cancelled but weekly intimation must be sent by all dealers to the Superintendent of Police regarding all sales of arms, ammunition or military stores.

(5) The shops premises and stock of all licensed manufacturers and dealers shall be inspected once in every quarter by a Police Officer not below the rank of Inspector and once at least in every year by a gazetted police officer. At the time of inspection the books shall be initialled by the inspecting officer. Any irregularity or breach of the rules which may be noticed shall be at once reported to the Magistrate of the district.

(6) On receiving notice of a sale under clause 2, section 5, of the Arms Act, by a person lawfully possessing arms to any person not prohibited from possessing arms, the Magistrate or Police Officer may make enquiries as to the correctness of the purchaser's name and address, and if necessary, obtain a report from the Superintendent of Police of the district in which the purchaser lives.

*Arms deposited in a Police Station.*

(7) When any arms, ammunition or military stores have been deposited at a police-station under section 14 or 16 of the Act, the officer in charge of the station shall affix to each weapon or article a ticket in form R. showing the name of the depositor and the date of the deposit and shall give the depositor a duplicate or copy of the same. After seven days, if the owner has not obtained a licence authorising him to possess them the arms, ammunition or military stores shall be forwarded to the head-quarters of the district and kept in the *malkhana* of the Magistrate of the district or in the Police magazine. The ministerial officer to whom they are entrusted shall keep a register in form S in which the articles so deposited shall be described and entered under serial numbers and fresh tickets shall be affixed showing the owner's name and the corresponding numbers of the register.

*Arms and military stores seized.*

(8) Arms, ammunition or military stores seized under section 11, 25 or 26 shall be similarly dealt with.

(9) **Disposal of confiscated arms**—Reproduced on page 184.

(10) and (11) **Grant of Rewards**—Reproduced on page 187.

*Register of licences.*

(12) Every magistrate of a district shall keep up in forms E and G appended to these rules, registers of licences to manufacture, convert, sell or keep for sale granted by him under rule 28 of the rules issued by the Government of India, and shall keep up in forms F and H, registers of all licences to sell and keep for sale granted by him under the same rule. All Superintendents of Police shall keep up similar registers in English. Magistrates of districts will supply to their Superintendents of Police copies of all such licences issued by them. The Superintendent of Police will furnish to each officer in charge of a police station copies of extracts, columns (1) to (6) (of form E), giving the names, etc., of persons licensed within his jurisdiction.

(13) All inspections of the shops, premises and stocks of licensed manufacturers and vendors by Inspectors of Police or superior officers shall be reported to the Magistrate of the district, and shall be entered in the registers.

(14) Registers of licences granted by the Magistrate of the district under rules 29 to 32 [present rules, 33, 35, 36 and 37] of the rules made by the Government of India shall be kept up in forms J, K, L, M, N, and O, respectively. Similar registers will be kept up in English by the Superintendent of Police to whom the Magistrate of the district will furnish copies of all such licences granted by him. The Superintendent of Police will supply each officer in charge of a station with an extract giving the parts of each register which concern his jurisdiction.

(15) In place of the returns prescribed in the Punjab Government circular no. 7-669 dated the 26th April 1867 and no. 12-944 dated the 21st June 1867, the Chief Commissioner is pleased to direct that the forms P and Q appended to these Rules be used. Both returns will be prepared for the calendar year and be submitted through the Deputy Commissioners to the Inspector General of Police.

*Registers to be maintained by persons licensed to keep in safe custody firearms deposited by their owners for that purpose.*

(16) All persons licensed to keep in safe custody firearms deposited by their owners for that purpose shall keep up register in Form I appended to these Rules.

(17) **Lead, leaden-bullets and bird-shot.**—*Vide* note (29) to Schedule II, pages 139—140.

# LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE]. 335

**FORM A—Stock book—, son of—, caste—, resident of— licensed to manufacture, convert, sell or keep for sale arms, ammunition or military stores. [Rule 19 (4), page 333.]**

1	2	3	4	5	6	7	8	9	10	11	12
Date.	Particulars.	DESCRIPTION.						Ammunition.	Military stores, including lead, sulphur & saltpetre.	Name and address of the dealer or firm supplying the articles received.	Signature of licensee.
		FIRE-ARMS.		OTHER WEAPONS.							
		Guns.	Pistols.	Swords.	Bayonets.	Daggers.	Others.				
Jany. 1st	In store—  Manufactured,—  Received—								.	.	
Jany. 2nd	Disposed of—  In store.									.	

**FORM B.—Daily sale book of—, son of—, caste—, resident of—, licensed to manufacture convert, sell or keep for sale arms, ammunition or military stores. Rule 19 (4), page 333.]**

1	2	3	4	5	6	7
Date.	Name and father's name of purchaser.	Caste and profession of purchaser.	Residence of purchaser.	Articles purchased.	Price. Rs. A°. P.	Signature of purchaser.

**FORM C.—Stock book of—, son of—, caste—, resident of—, licensed to sell and keep for sale arms, ammunition or military stores, [Rule 19 (4), page 333.]**

With the following exception, the prescribed register is identical with that prescribed under Form A :—

In the case of column 2 of Form C. omit the word "manufactured" which appears in column 2 of Form A.—

**FORM D.—Daily sale book of—, son of—, caste—, resident of—, licensed to sell and keep for sale arms, ammunition and military stores. [Rule 19 (4), page 333 ].**

Except for the heading the prescribed register is identical with that prescribed under Form B.



# 336 LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE].

Form IX of 1924.

**FORM E.—Register of licences to manufacture, convert, sell or keep for sale arms, ammunition or military stores other than breech-loading rifles, rifle ammunition or military stores for rifles in—district. [Rule 19 (12), page 334 ]**

1	2	3	4	5	6	7				8	
Tahsil.	No.	Name of licensee.	Father's name and caste and residence.	Place of business.	Date.	INSPECTION BY				REMARKS.	
						Police officer not below the rank of Inspector.					Gazetted Police Officer
						1st.	2nd.	3rd.	4th.		

Form X of 1924.

**FORM F.—Register of licences to sell and keep for sale arms, ammunition or military stores other than breech-loading rifles, rifle ammunition or military stores for rifles in—[Rule 19 (12), page 334.]**

With the following exceptions, the prescribed register is identical with that prescribed under Form E.

In column 7 ("inspection by") *substitute* the following :—

- (1) In the first sub-column for the heading "Police officer not below the rank of Inspector" *substitute* "Assistant Superintendents or Inspectors of Police."
- (2) In the second sub-column for "Gazetted Police Officers" *substitute* "Magistrate of district or Superintendent of Police."

Form XI of 1924.

**FORM G.—Register of licences to manufacture, convert, sell or keep for sale breech-loading rifles, rifle ammunition or military stores for rifles. [Rule 19 (12), page 334 ]**

Except for the heading, the prescribed register is identical with that prescribed under Form E.

Form XII of 1924.

**FORM H.—Register of licences to sell and keep for sale breech-loading rifles, rifle ammunition or military stores for rifles. [Rule 19 (12), page 334.]**

With the following exceptions, the prescribed register is identical with that prescribed under Form E :—

In column 7 ("Inspection by") *substitute* the following :—

- (1) In the first sub-column for the heading "Police Officer not below the rank of Inspector" *substitute* "Assistant Superintendents or Inspectors or of Police."
- (2) In the second sub-column for "Gazetted Police Officer" *substitute* "Magistrate or District Superintendent of Police."

# LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE]. 337

Form XIII of 1924.

FORM I.—Register showing details of fire-arms deposited by owners for safe keeping with—licensed in form XI A of the Indian Arms Rules. [Rule 19 (16), pages 334.]

1	2	3	4	5	6	7	8
Serial no. (of entry).	Date (of entry.)	Name with particulars of owner of arms,	Detail with description of fire-arms deposited.	No. with date of the licence of the owner.	Attestation of deposit of arms in col. 4 by the owner in col. 3 verified by two witnesses in each case.	Check notes and endorsements by inspecting officers under condition 4 of the licence.	REMARKS.

Form XIV of 1924.

FORM J.—Register of licences for the possession only of arms (other than pistols and revolvers), ammunition or military stores. [Rule 19 (14), page 334.]

Name, description and residence of licensee and agent (if any).	Number and description of arms.	AMMUNITION OR MILITARY STORES.		Place (with description where articles are to be kept).	Period for which the licence valid.
		Description.	Quantity.		

Form XV of 1924.

FORM K.—Register of licences for the possession and use for the purpose of target practice of firearms and ammunition. [Rule 19 (14), page 334.]

Serial no. of licence.	Name, description and location of mess, club or association.	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		Place within which the licence is valid.	Date on which the licence expires.
		Description.	Quantity.		

Form XVI of 1924.

FORM L.—Register of licences to possess arms or ammunition and to go armed for the purposes of sport, protection or display in the—District. [Rule 19 (14), page 334].

1	2	3	4	5	6	7	8
Tahsil.	No.	Date.	Name of licence-holder.	Father's name and caste. etc.	Residence.	No. and description of weapons.	REMARKS.

# 338 LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE].

Form XVIII of 1924.

FORM M.—Register of licences to possess and go armed with arms and ammunition for the purpose of destroying wild animals which do injury to human beings or cattle in the—District [Rule 19 (14), page 334.]

1	2	3	4	5	6	7	8	9	10					11
Tahsil.	No.	Date.	Name of licence-holder.	Father's name and caste.	Residence.	Place for which licence is valid.	Weapon.	Date of expiry of licence.	INSPECTION BY MAGISTRATE OF WEAPON AND LICENCE.					REMARKS.
									1st year.	2nd year.	3rd year.	4th year.	5th year.	

Form XIX of 1924.

FORM N.—Register of licences for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.

The prescribed register is identical with that prescribed under Form M. [Rule 19 (14), page 334.]

Form XX of 1924.

FORM O.—Register of licences for going armed on a journey in or through any province. [Rule 19 (14), page 334.]

1	2	3			4				5	6	7
Serial no. of licence. Name, description and residence of licensee and agent (if any).		ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO CARRY.		RETAINERS (IF ANY) COVERED BY THE LICENCE.				Place of departure, route and place of destination.	Period for which the journey is likely to occupy.	Period for which the licence is valid.	
1	2	Description.	Quantity.	Name of retainer.	Name of retainer's father.	Address of retainer.	<i>Arms or Ammunition that retainer is entitled to carry.</i>				
3	4	5	6	7	8	9	10	11	12		

# LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE]. 339

FORM F. Return of licences granted under Act XI of 1878, in the district of \_\_\_\_\_  
for the year 192 . [Rule 19 (15) page 334.]

1	2	3	4	5	6	7	8
Detail of licences.	No of licences in force last year.	OPERATION OF THE YEAR.			Number in force at end of present year.	Remarks by Deputy Commissioner.	Remarks by Inspector General of Police.
		New licences.	Renewed licences.	Revoked or suspended.			
1. In Form VII* for the transport of arms, ammunition or military stores.							
2. In Form IX to manufacture, convert, sell or keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)							
3. In Form X to sell and keep for sale arms ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)							
4. In Form XI to manufacture, convert, sell or keep for sale breech-loading rifles, rifle ammunition or military stores for rifles.							
5. In Form XII to sell and keep for sale breech-loading rifles, rifle ammunition or military stores for rifles.							
6. In Form XIII for the possession by holders of licences in Form IX, X, XI or XII of fire-arms deposited by their owners for safe keeping.							
7. In Form XIV for the possession of arms (other than pistols or revolvers), ammunition or military stores.							
8. In Form XV for the possession and use for the purposes of target practice of fire-arms and ammunition.							
9. In Form XVI for the possession of arms and ammunition and for going armed for the purpose of sport, protection and display.							
10. In Form XVIII for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle.							
11. In Form XIX for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.							
12. In Form XX for going armed on a journey in or through any Province.							

N. B.—This return will be prepared for the calendar year and will be submitted to the Inspector General of Police through the Deputy Commissioners.

\* For the sake of convenience the form numbers shown in column 1 are those prescribed under the rules of 1924.

# 340 LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE].

FORM Q. Annual statement of the operation of the Arms Act XI of 1878 in the district of \_\_\_\_\_ for the year \_\_\_\_\_ [Rule 19 (15) page 334.]

This form is similar to form L of the forms attached to Punjab Rules on page 311.

FORM R. Rule 19 (7) page 333.]

Receipt for arms, etc. deposited  
in a Police Station.

FOIL.

POLICE STATION

DISTRICT.

Arms, ammunition or military stores  
deposited in the above Police Station  
under the Indian Arms Act XI of 1878.  
Serial No.

Date

Nature of arms,  
ammunition or  
military stores,  
and condition  
in which re-  
ceived.

Name and  
father's name  
of depositor.

Residence of depositor

I certify that I have received the  
above mentioned articles and have de-  
posited them in the Station Malkhana  
(store-room) after having labelled them.

Station Clerk.

NOTE.—To be forwarded to head-quarters with  
a copy of this entry after seven days if owner has  
not obtained a licence authorizing him to pos-  
sess them. This form is to be used for arms, am-  
munition and military stores seized under sec-  
tions 11, 25 and 26.

FORM R. [Rule 19 (7) page 333.]

Receipt to be given to depositor.

COUNTERFOIL.

Under section 14 or 16 of Act XI  
of 1878.

POLICE STATION

DISTRICT.

Serial No.

Date

Nature of arms,  
ammunition or  
military stores,  
and condition  
in which re-  
ceived.

Name and  
father's name of  
depositor.

Station Clerk.

Tickets to be attached to arms, etc.

Serial No. Dated	Serial No. Dated
Serial No. Dated	Serial No. Dated
Serial No. Dated	Serial No. Dated
Serial No. Dated	Serial No. Dated

FORM S.--Registers of arms confiscated, [Rule 19 (7), page 333.]

\_\_\_\_ Police Department \_\_\_\_\_

District.

\_\_\_\_ Column 1. Serial No.

\_\_\_\_ " 2. Date

\_\_\_\_ " 3. Name of station whence received with station, date and Serial No.

\_\_\_\_ " 4. Description of arms, ammunition and military stores.

\_\_\_\_ " 5. Condition in which received.

\_\_\_\_ " How disposed of, under whose orders, and date.

20. Memo. no. 813-G., dated the 17th Jan. 1924, to the Inspector  
General of Police and copy to Deputy Commissioners in the N.-W.  
F. P.—I am to invite a reference to endorsement no. 10011-G., dated  
the 10th November 1923, forwarding a copy of this office memo.  
no. 10006—10-G. dated the 10th November 1923, to all Deputy Com-  
missioners, the relevant extract of which runs as follows :—

Future recommendations for fresh licences should state in each case the  
number of Government rifles, issued to the village concerned, and also the number of  
private licences for rifles, revolvers and shot-guns held by the village.

3. In order to facilitate the furnishing of the above information, I am to  
suggest that, where this is not already done, a register may be maintained showing  
all subsisting licences not only by police stations but also by villages.

(2) With regard to the above, I am to request that instructions may kindly be issued for the preparation at each police station of a statement, by villages instead of as now by police stations, of the licences for private firearms in force at the end of the year 1923, and for the supply of a copy of this statement to the District Magistrates concerned.

21. *Memo. no. 1692-96 G., dated the 7th February 1924.*—The Chief Commissioner is pleased to issue the following instructions with regard to the working of proviso (c) to Rule 42 (3) of the Indian Arms Rules, 1924 :—

(1) In the first place attention is invited to the requirements of proviso (c) which runs—“where a licence is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

(2) Under the first part of condition 11 of form XVI the licensee is obliged to report to the authority which *granted* the licence any change in his *permanent* residence. He is not obliged to report a temporary change of residence, yet under the second part of condition 11, he can have his licence *renewed* at any place at which he is residing although that residence may be temporary.

(3) In order that the district registers of firearms in the North-West Frontier Province may be kept up to date, it will be necessary for the North-West Frontier Province Officer renewing a licence granted elsewhere than in his own district to enquire whether the licensee has permanently changed his residence to the district of the renewing authority. If the answer is in the affirmative, renewal should be withheld pending the sanction of the District Magistrate, as, so far as the renewing district is concerned, the renewing is virtually the grant of a new licence, and the Chief Commissioner has decided that the *grant*, as opposed to the renewal, of licences shall be solely in the hands of the District Magistrate himself.

(4) The Chief Commissioner directs that, when making the intimation required by proviso (c), the renewing authority shall in each case intimate to the authority which granted the licence whether the licensee states that his change of residence is permanent or merely temporary.

22. *Notn. no. 71-G. N. 14/62-24 dated the 23rd May 1924.*—Under section 35 of the Court Fees Act, 1870 (VII of 1870) as amended by Devolution Act, 1920 (XXXVIII of 1920), the Chief Commissioner is pleased :—

(1) to remit all fees payable under Schedule II of the former Act upon applications in the N.-W. F. Province for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under these rules, and

(2) to reduce to one anna all fees exceeding one anna payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules.

1. The following instructions have been issued by the Government of India regarding the reporting of losses, thefts and recoveries of firearms and ammunition capable of being used for military purposes. (H. D. letter no. 722 dated the 25th July 1913, no. F-113-23 dated the 27th Nov. 1923 and no. F-92-25 dated the 9th May, 1925).

\* \* 2. Under Military regulations officers commanding detachments report the loss or recovery of arms, important components or ammunition to the Superintendents of Police or, if the loss or recovery takes place in a Native State, to the Political Officer. The Superintendent of Police or Political Officer, is then responsible for all further action towards the tracing and recovery of the lost or stolen articles,

3. Report should be made by Superintendents of Police and Political Officers to the Provincial Criminal Investigation Department of the loss, theft or recovery of arms, important components and ammunition coming under the following category, of

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which they may receive information from any source, whether military, civil or private :

(i) Machine guns, light automatics, grenades and articles or the Royal Air Force armaments,—

(ii) Rifles, revolvers and pistols,—Government or private.

(iii) Barrels and bolts of .303 bore.

(iv) Ammunition for cannon, machine guns and high velocity rifles.

(v) High explosives whether in bulk or in made-up charges including fuses and detonators.

4. (a) Reports concerning items of the above category should be reported by telegram whenever there is *prima facie* evidence or reasonable suspicion of a recent theft. In other cases report should be made by letter. In all cases every effort must be made to include either in the initial report or in a very early continuation report the fullest possible details both for the identification of the missing arms, components or ammunition and as regards the methods and identity of the thieves.

(b) The Provincial Criminal Investigation Department on receipt of reports according to the above instructions will be responsible for the direction of suitable action for detection and recovery. If in any case there may appear grounds for suspecting the agency of professional arms thieves from the North-West Frontier, telegraphic information giving the fullest available particulars should be sent to the Assistant Intelligence Branch, Peshawar, North-West Frontier Province—(Telegraphic address—"Punishment Peshawar.")

5. A return of all arms, etc., lost, stolen or recovered should be maintained by the Provincial C. I. Department and should be sent in annually to the Director, Intelligence Bureau.

6. All reports of losses, thefts and recoveries of arms, etc., should be published by the Provincial C. I. Departments in their *Criminal Intelligence Gazettes* or Confidential Supplements. Such reports must invariably include all details necessary to establish the identity of any particular weapon or component part.

7. When losses are sufficiently serious to be brought to the notice of the Government of India, or to rank as matter of public interest, as well as in the following cases :—

(a) When the theft appears to be the work of Ut Khels or other professional rifle thieves,

(b) When the loss appears to indicate that standing rules for the custody of arms and ammunition, either in possession of regiments or individuals or during transit by rail or otherwise are defective and should be amended,

Intimation of such losses should be telegraphed to the Director of Criminal Intelligence, Simla, by the Provincial C. I. Department and copies of all subsequent reports submitted by the Superintendent of Police should also be sent to him.

8. No report need be made under these rules in the case of the loss or theft of smooth-bore weapons, ammunition for such weapons, swords, bayonets or accoutrements. Converted Martini-Henries and Sniders are classed as smooth-bore weapons.

9. Deliberate attempts to smuggle arms and ammunition into India, by land or sea, should promptly be reported to the Director, Intelligence Bureau. Similarly the discovery of fire-arms which appear to have been deliberately smuggled into India should also be reported to the same quarter. In all instances, full particulars of the articles seized, such as the maker's name, place of manufacture, number, bore and other distinguishing marks in the case of firearms; and maker's name, bore, and distinguishing marks in the case of cartridges, should be communicated at the time the report is made or as soon afterwards as possible. Whenever a prosecution is initiated with respect to a case of smuggling of, or attempt to smuggle, arms and ammunition, the result should also be communicated to the Director, Intelligence Bureau. These instructions do not affect the quarterly returns of arms and ammunition seized by the Customs, which should continue to be submitted by the C. I. Departments of Maritime provinces as at present.

**Grant of Shooting Passes or Passes for sporting purposes.** *Home Department resolution, no. 1458-84, dated the 27th September 1875.*—In resolution, No. 1755-70, dated the 24th September 1879, Local Governments and Administrations were requested to instruct district officers to take every opportunity of warning Englishmen and others against entering on standing crops for sporting purposes unless they first obtained the permission of the owners to do so. The Government of India have recently had brought to their notice a case in which an European, while out shooting, caused the death of two natives—in an affray arising out of the fact that he shot peafowl in the vicinity of a village. The rules issued by the military authorities for regulating the grant of shooting passes to British soldiers provide all the safeguards that are practicable to prevent affrays between soldiers and villagers; but there are at present no orders ensuring that such warnings shall be given as may, so far as is possible, duly direct and regulate the conduct of sportsmen other than soldiers. The Governor-General in Council accordingly desires that instructions should be issued by Local Governments and Administrations to district officers to warn sportsmen, whether Europeans or others

- (1) against trespassing on standing crops without the consent of the owners,
- (2) against shooting peafowl, or other birds or animals which are looked upon as sacred, in the vicinity of villages or habitations,
- (3) against shooting domestic animals, such as dogs or pigs, and
- (4) generally against shooting in the immediate vicinity of villages, temples and mosques.

*Home Department letter, No. 3476, dated the 31st December 1900.*—I am directed to forward a copy of the revised rules for the grant of shooting passes to British soldiers in India which have been approved by the Governor General in Council and published in the *Gazette of India* of the 27th October 1900, and to request that the special attention of the local civil officers concerned in the administration of the rules may be drawn to them.

2. These rules are drawn up chiefly for the guidance of the military authorities, but their successful working cannot be insured without the co-operation of the civil officers. The Governor-General in Council, therefore, considers it necessary that the duties of the latter class of officers respecting this matter should be clearly laid down.

3. In the revised rules it has been provided that the Commanding Officer of a Regiment or Detachment is at once to send to the District Magistrate the substance of any report (together with a copy of the complaint if any) that may be made by the member of a shooting party who is in charge of the party, on their return to quarters, respecting any breach of the rules, any affray with natives, or any mishap which may have occurred during the absence of the party. The Government of India consider it necessary that the District Officer also should communicate to the Commanding Officer immediate information of any breach of the rules by men under his command that may be reported to the civil authorities. Cases have come to the notice of the Governor-General in Council in which the civil authorities have omitted to make a report upon such occurrences to the Officer Commanding the Regiment, who remained in ignorance of the affair until a report was called for from Army Head Quarters or by the Government of India, or until the police inquiry had been completed. I am to request that, to enable the Commanding Officer of a Regiment or Detachment to take suitable notice of any infringement of the shooting pass rules, orders may be issued which will insure due information being communicated by the District officer to the local Military authorities in cases which may come to his notice.

4. The revised rule lays down that officers commanding stations and officers Commanding troops about to march will communicate with the civil district officer in order to ascertain

- (a) in what localities shooting ought to be forbidden, and
- (b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season.

There is, however, more continuity in the civil District Officers, where the establishments, if not the officers, are to a great extent permanent, than in Military Cantonments. With a view, therefore, to guarding against the provision of the rule being overlooked, I am to request that instruc-



tions may be issued to Commissioners and District Officers to the effect that on the arrival of a corps or detachment in a civil district, the District Officer shall at once certify to the Officer Commanding the corps or detachment what localities, animals and birds are forbidden for shooting purposes, either absolutely on account of the prejudices of the inhabitants, or for parts of the year in accordance with the rules for close seasons. In defining tracts of country where shooting is to be allowed, the local officers should be directed to bear in mind the orders contained in Home Department circular letter no. 30-1012-1028 dated the 31st July 1883, and to take care that no tracts are included where owing to the religious prejudices of the people, the agricultural circumstances of the district, or other sufficient causes, there would be risk of danger if free permission to shoot were accorded.

5. In the circular of the 31st July 1883 referred to above, and in no. 18-1230-1239, dated the 31st July 1891, local Governments and Administrations were requested to instruct the District authorities to cause the shooting pass rules to be explained to villagers in the neighbourhood of cantonments, and to warn such villagers against interfering with soldiers out shooting and using violence to them, and also against taking the law into their own hands in cases in which soldiers infringe the rules. The Governor-General in Council now directs that the substance of the revised rules, so far as they affect the villagers should be periodically notified in simple language in the villages and tracts where soldiers are in the habit of shooting and that District Officers should impress upon landlords, headmen and village police that they are expected to give their assistance in avoiding disputes with soldiers out shooting. The headmen and village police must see that soldiers conducting themselves properly are not molested, and that any complaints of misconduct are reported to the proper authorities. In cases in which notice of the probable advent of a shooting party has been sent to the District Officer under the revised rule, he should with as little delay as possible, send intimation to the headmen and village police (so far as this can be done) stating that a shooting pass has been issued and that they are to see that quarrels are avoided. Villagers should on no account take the law into their own hands, but should lodge any complaint they have to make in a legal manner.

6. In the circular from this Department, no. <sup>50</sup>~~2349-58~~, dated the 14th October 1887, the importance of conducting prompt investigation into cases of affrays between European soldiers and native villagers was inculcated; and it was desired that, on the occurrence of a serious affray, the district Magistrate should invariably either himself proceed to the place or at once depute an European Magistrate or the District Superintendent of Police in order to investigate the matter on the spot at the earliest possible time after the occurrence. I am now to request that instructions may be issued that the investigation of a case between natives and soldiers arising out of a shooting dispute should, whenever possible, be entrusted to an English Magistrate or Police Officer not lower in rank than Assistant Superintendent, and that when such cases come into Court they should be tried by the District or Joint Magistrate. In cases which are not cognizable by the police, or where the prosecution is not undertaken by the civil authorities, the civil District Officer shall inform the Commanding Officer of the Corps or detachment concerned to that effect, for such action as the latter may consider fit to take.

7. In conclusion, I am to say that the Government of India think it desirable that each Commissioner, District and Sub-Divisional Magistrate should be furnished with a copy of the revised rules as a separate publication.

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